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Political Science Review

VOL. XXX OCTOBER, 1936 NO. 5

# THE POPULAR FRONT IN FRANCE: PRELUDE OR INTERLUDE?

WALTER R. SHARP
*University of Wisconsin*

"Frenchman, too conservative to go communist, too anarchistic to like fascism, what are you going to do with yourself?" Thus was concluded a penetrating diagnosis of contemporary social trends in France published about a year ago.[1] It is significant that such a survey should have come from the pen of a brilliant young journalist belonging to what may be called the post-war generation. For, whatever else recent dramatic developments in French public affairs may portend, there is no doubt that political control is passing to a new set of leaders, as well as, perhaps, to new ideologies.

France is now twenty-two years removed from the outbreak of the World War. Men born as late as 1900 are approaching middle age. Among the eighth of the population now over sixty years of age, only a handful of persons remain who can remember the Franco-Prussian War. Most of the men who were directing national policy through the World War and the peace settlement have died —Clemenceau, Poincaré, Briand, Painlevé, Barthou, Viviani, and Ribot. Doumergue was the last remaining "elder statesman" who could be called back to the helm at the time of the 1934 crisis. The influence of such old-line nationalist leaders as Millerand and Louis Marin has been steadily going into eclipse, while André Tardieu, the "Tiger's" chief lieutenant and heir to his political philosophy, seems to have been relegated to the political wilderness, where he can now fulminate against the folly of parliamentary democracy and flirt with fascism.[2]

[1] Pierre Frédérix, *L'État des Forces en France* (Paris, Gallimard, 1935).

[2] Since 1933, Tardieu has written one critique of the French parliamentary system after another, each more vehement than its predecessor. His present position is well summed up in his *France in Danger* (London, 1935).

The Third Republic, which nearly went to smash on the riotous night of *6 février 1934*, was then still controlled largely by "old men." Since that epochal date, plans for reform or revolution have been the order of the day in France. In great profusion they have poured from party committees, the new political "leagues," economists, and publicists. Behind the clamor of partisans on the right and on the left, however, the most significant general note has been youth's search for a new social synthesis in a world harassed by dictatorship and economic confusion. The old shibboleths fail longer to satisfy young Frenchmen now approaching intellectual maturity. France must not always remain a victim of such "false dilemmas" as democracy *versus* fascism, capitalism *versus* communism, or nationalism *versus* internationalism—so demanded the program formulated by a distinguished group of young intellectuals in July, 1934, in an attempt to bring together the young men of all parties on a common platform.[3]

Youth being what it is, that attempt naturally proved futile. In France, as elsewhere in contemporary Europe, disillusionment has driven a large section of youth into the ranks of extremism, right and left. But unlike their German or Italian brothers, French youth are still free to gravitate *left* as well as right.

It is in this general context that the potentialities of the Popular Front may be most intelligibly explored. Does it herald, as many foreign commentators have suggested, a genuine "New Deal" in French politics? Or is it merely an interlude in the game of unstable coalitionism to which the Third Republic has so long been accustomed? Or is it the prelude to *révolution à la soviètique*, to a *coup d'état à la fasciste*, or to a "mixed" economy operating under a revamped political democracy? In these uncertainties the entire Western world has an immense stake, for upon the capacity of the French Popular Front to make its will effective the future of Western civilization, in Europe at any rate, may depend.

[3] *Plan du 9 Juillet* (Paris, Gallimard, 1935). In essence, this plan contemplated a strengthened parliamentary executive, a periodic reëxamination of the constitution every fifteen years, a fuller collaboration of the National Economic Council and Council of State in the legislative process, administrative decentralization, a general training school for public administrators, control of the press by the organized profession of journalists, long-range planning of public works, a regional and corporative organization of producers under state guidance [similar to the NRA code authorities], minimum wages and a shorter work week, and a program of social hygiene and low-cost housing. The similarity of this plan to the program subsequently evolved by the Popular Front in January, 1936, is striking.

I

What is the Popular Front? In its most general aspect, it represents the mobilization of heterogeneous and previously divergent forces for the defense of French democracy against the growing spectre of fascism. After the political crisis precipitated by the Stavisky affair nearly three years ago, the political battleground in France assumed an increasingly bi-polar pattern. On the one side were the new political leagues—*Croix de Feu* and other groups of lesser importance—operating on a highly disciplined and quasi-military basis, and forcing their imprint upon the regular conservative party organizations. On the other side stood the liberal republican, labor, socialist, and communist forces which were at last being brought into working unity by fear of an immediate, common foe. Without having at the outset any semblance of common *positive* program, these groups could at least agree upon a common *negative* platform: *Fascisme, voilà l'ennemi!*

The first signs of this new unity appeared in the nation-wide strike of February 12, 1934, which was successfully organized by French labor groups as a protest against the attack upon Parliament by the rioters of the previous week. Participating in this strike were the moderate syndicalist C.G.T. and the communist C.G.T.U., acting in unison in an effort which included industrial workers, state employees, railway workers, and school teachers. On the political front, the Communist party, no longer holding to its intransigeant "doctrinairism," made overtures to the Socialist party (*S.F.I.O.*) which eventually culminated in a "united action" pact (*front commun*), even though proposals for complete fusion into a single workers' party came to naught. The two trade-union organizations, however, were able to reach an agreement for complete union which was formally consummated in September, 1935.

Meanwhile, as disillusionment with Doumergue's and Flandin's "National Union" governments deepened, local committees representing the Socialist and Communist parties, numerous trade-union groups, war veterans associations, and other civic groups came into being throughout the country. In Paris, a group of distinguished intellectuals (professors, writers, and artists), with the backing of the League for the Rights of Man, formed a *Comité de Vigilance des Intellectuels anti-fascistes*. On June 17, 1935, this committee took the initiative in calling a meeting for the purpose of organizing on Bastille Day a grandiose popular demonstration of

support for democracy. Out of this *rassemblement populaire* the Popular Front was born.

Paradoxically enough, the Communists were the first major party group to adhere to the plan. Léon Blum's party, along with the small dissident Socialist groups, next fell into line. To secure participation by the Radical Socialists—the party *par excellence* of small-propertied peasants, shopkeepers, and artisans—in a project in which their old enemies, the Communists, seemed to be the main driving force, was more difficult. Inside the Radical Socialist executive committee, Herriot and the moderate wing of the party at first held out against the proposal, but finally yielded to the "Young Turk" faction led by Daladier, Pierre Cot, and Jacques Kayser. The decision to join in the demonstration was dictated by the "shock troops" of Paris against "provincial" delegates fearful of the attitude of their rural constituents. Once decided upon, Radical Socialist participation gave the *rassemblement populaire* a broadly representative base ranging all the way from communists to liberal republicans.

While these developments were going on, the C.G.T. and C.G.T.U., not yet completely consolidated, and many other non-political organizations, eventually over ninety in number, came into the plan. So, in the Place de la Bastille, symbolizing the original purposes of the great Revolution of 1789, over 300,000 men and women massed themselves on the blistering hot afternoon of July 14, 1935, sang alternatively the *Internationale* and the *Marseillaise*, flaunted the hammer and cycle along with the tri-color, and took a prophetic oath, which reads, in part, as follows: "We solemnly swear to remain united in order to disarm and dissolve the fascist leagues, to defend and develop democratic liberties, to provide bread for the workers, employment to youth, and peace to the world." This was the answer of the laboring masses to the *Croix de Feu's* counter-demonstration in the fashionable quarter of Paris (Champs Elysées and Arc de Triomphe) later that same afternoon. If he knew well his history of the Third Republic, any witness of these two demonstrations could sense that a far-reaching realignment of political forces was in the making for France. The writer of these lines happened to be such an eye-witness.

A permanent organization for the Popular Front soon took shape. A central committee, consisting of delegates from the nine most powerful constituent organizations, was set up and charged

with the task of formulating a common *minimum* program. It was agreed "that all decisions of the *rassemblement populaire* had to be unanimous. One single veto was enough to prevent a resolution being passed."[4]

After five months of tedious and laborious negotiation, such a program was evolved. On January 10, 1936, it was published, with the understanding that all candidates in the forthcoming elections should be obligated to subscribe to its provisions in order to secure support from the united left on the second ballot. The Popular Front as such, however, did not propose to run candidates, and each participating party group remained free to nominate its own slate for the first ballot.

An examination of the Popular Front program reveals in how far the double impact of fascism and the economic crisis had produced a *rapprochement* of immediate objectives among the constituent groups, whatever their position on fundamental doctrine might still be. For the French Communists, Stalin's famous declaration to Laval in May, 1935, praising French national defense policy, the negotiation of the Franco-Soviet mutual assistance pact, and perhaps direct orders from Moscow by way of the Third International, had combined to produce a "gradualism" which was more "gradual," even, than the Blum Socialists of the Second International were at first willing to support. The latter, however, had already, in 1933–34, been infected with the germs of "socialization by stages" on a *national* scale.[5] The radically altered set-up in Europe dictated a shift of emphasis from *international* to *national* action if France was to be saved from the menace of fascism. Continued advocacy of "integral" socialism might push peasants and small business men into the arms of the Right, make "democratic" unity impossible, and invite resort to violence by the vociferous apostles of authoritarianism.[6] The tragic fate of the

[4] Cf. J. Kayser, "France and the International Situation," *International Affairs*, July-Aug., 1936. The official name of the Popular Front has thus far remained merely the *Rassemblement Populaire*.

[5] This internal *crise de doctrine* had led in 1934 to the secession of a number of leaders, including Déat and Marquet, who established their own neo-socialist party (*Parti socialiste de France*). Later, in 1935, this group united with Paul-Boncour's Republican Socialists to form the *Union sociale et républicaine*.

[6] In 1935, a "green-shirted," quasi-fascist movement known as the *Front Paysan* appeared in rural France, especially Brittany. Led by the picturesque Henri Dorgères, it condemned parliamentary "ineptitude," urged tax strikes, resistance to mortgage foreclosures, and proposed a reorganization of the French state on a cor-

German working classes had taught the Communists the importance of common action with socialists and liberals if fascist reaction was to be averted.

On the right flank of the newly organized Popular Front, economic developments since the war had shaken the confidence of the Radical Socialist rank and file in the efficacy of "economic liberalism." The war, inflation, and the slump of 1931 had so nearly emptied their pocketbooks as to undermine their traditional faith in governmental non-interference with the processes of the large-scale capitalism. An accumulation of agricultural surpluses over several years had brought on ruinously low prices for farm products, caused tax strikes in rural areas, and made many a peasant receptive to the appeal of state control over an increasing segment of the national economy—in particular, over the "financial" and "industrial" oligarchies from which Jacques Bonhomme thought he was suffering. To a small-propertied class whose property was becoming profitless, the blessings of economic individualism and the old-styled "rights of man" no longer offered the allurement they once did. Liberty must be geared in with economic security.

Thus was it possible for communist, socialist, and liberal to join in a common manifesto in defense of "*Liberty, Peace and Bread*": (1) In defense of "liberty," their program called for a general amnesty for political prisoners, the dissolution of all private, quasi-military organizations; abrogation of decree-laws restricting freedom of opinion; press reform by assuring to journalists a decent means of existence and putting an end to the scandals of financial advertising; the organization of government radio broadcasting on a basis of equal treatment for all political and social groups; respect for the right of all workers freely to organize; increased support for the public school system; the raising of the compulsory school age to fourteen years; and guarantees, to pupils and teachers alike, of full freedom of conscience and discussion.

(2) In defense of "peace," the Popular Front proposed to strengthen the collective security system, to take the initiative in plans for disarmament, to nationalize war industries and abolish the private traffic in arms, to repudiate secret diplomacy, to under-

porate and regional basis. (Cf. B. de Jouvenel, "Le Front Paysan," *Revue de Paris*, Dec. 1, 1935). Running counter to this movement is the *Confédération Nationale Paysanne*, with the objective of organizing agricultural workers, on a syndicalist basis, into *États généraux de la paysannerie*. (Cf. *La Tribune du Fonctionnaire*, Mar. 7, 1936, for a summary of its purposes.)

take to bring back to Geneva those states that had withdrawn, "*to render more flexible the procedure envisaged by the Covenant of the League for the peaceful revision of treaties dangerous to the peace of the world*" [italics mine], and to extend to Eastern and Central Europe a system of security pacts on the Franco-Soviet model.

(3) In defense of "bread," it was proposed (a) to restore consumer purchasing power by setting up a national unemployment fund, by reducing the work-week without lowering the weekly wage, by providing adequate retirement pensions for industrial workers, and by rapidly executing a public works program to be financed jointly by central and local governments; (b) to alleviate the agricultural crisis by "revalorizing" farm products, by creating a national agency to fix the price of wheat and control its marketing, by expanding agricultural credit, by supporting coöperatives, by suspending foreclosures, and by reducing mortgage burdens; (c) to regulate the banking profession and to transform the Bank of France from a private into a public institution; and (d) to conduct a "financial housecleaning" by revising the tax system so as to eliminate evasion and secure additional revenue by heavily taxing all incomes over 75,000 francs, and by confiscating funds held in concealment abroad or their equivalent at home.

## II

The sixteenth parliamentary election campaign of the Third Republic officially opened on the 7th of April. In accordance with French electoral law, the first polling day was set for three weeks later. At the outset of the contest, the Popular Front felt confident of winning a majority in the new Chamber. Even the conservative press admitted that the Left would make substantial gains. Shortly after the publication of the Popular Front program in January, the Radical Socialists had withdrawn their support from the Laval government, in part because they had grown impatient with its half-hearted support of League sanctions against Italy and its reluctance in ordering the dissolution of the rightist "leagues"; in part, also, because by its defeat the Left could gain control of the Ministry of the Interior during the approaching campaign—an advantage of no small importance in a French national election.[7]

[7] Laval was succeeded on January 24 by Albert Sarraut, whose cabinet had a left-center focus and could count on the entire Radical Socialist *bloc*, Flandin's Left Republicans, and Déat and Paul-Boncour's dissident Socialists for a majority in the Chamber.

In several respects the 1936 electoral contest broke precedents in French political history. First, it brought a record number of candidates into the field—4,815 in all, in comparison with only 3,837 in 1932, 3,763 in 1928, and 2,765 in 1924.[8] This number meant an average of nearly eight aspirants for each of the 618 seats, scattered among nearly twenty different party groups. Second, radio broadcasting was extensively used by *all* parties for the first time in a French national election.[9] Third, despite a widespread feeling that the fate of the Republic might depend upon the outcome of the voting, the campaign was singularly free from violence or disorder. Fourth, the percentage of non-voting reached the unprecedentedly low level of 15.7, the only previous French election to approach this figure being that of 1924, when 16.97 per cent failed to go to the polls.[10]

The leadership of the Popular Front at first considered the advisability of uniting on common candidates for the first ballot. It was soon apparent that this idea would have to be abandoned in favor of party freedom, with the understanding, however, that in the *ballottage* all but the highest candidate should withdraw, except in cases of special agreement.[11] In similar manner, each of the conservative party groups presented its own slate of candidates. It was reported, without apparent contradiction, that de la Rocque, the *Croix de Feu* leader, ordered his followers to vote Communist on the first ballot in the hope that enough "frightened" Radical Socialists would swing to the conservative candidate on the second ballot to elect him. If the first part of the maneuver worked, the second signally failed.

Tactically, the Right relied chiefly on the time-worn appeal of "saving the country from bolshevism." "Only one thing counts for

[8] *Le Temps*, April 20, 1936.

[9] The organization of the French radio includes both private and government stations. The latter are managed by the P.T.T. and financed by a tax on receiving sets. In 1934, only 1,400,000 French sets were in operation, in contrast with over 5,000,000 each in Germany and Great Britain. Political broadcasting is regulated by a special commission under the P.T.T. In principle, all party groups are guaranteed equal treatment; in fact, government parties appear to have some advantage in the selection of time on the air. In the 1936 campaign, political speeches were ordinarily broadcast from 8 to 8:30 p.m.—"*les demi-heures électorales*," as the press called them.

[10] Of 11,927,852 registered voters, 10,054,749 exercised their suffrage on the first ballot, according to *Le Temps* of May 3, 1936. From 1881 to 1924, non-voting consistently exceeded 20 per cent in French national elections.

[11] On April 30, Radical Socialist, Socialist, and Communist national party headquarters issued instructions of this character to their local organizations.

us," declared de la Rocque: "beat communism!"[12] Day in and day out, the reactionary Parisian press taunted the Radicals with having been "duped" by the new Communist strategy. "Radicalism will pay, but France will also pay," thundered Henry de Kerillis, arch-propagandist for the *Comité des Forges.*[13] "The *Front Populaire* meant all the calamities in the calendar. It meant war, civil and international. It meant the collapse of the franc . . . and the collectivization of the vineyards, the nationalization of women and the destruction of the family, the raping of nuns and the burning of churches, death and disorder, with a German invasion and a fascist dictatorship to redress the balance."[14] Warned the election manifesto of Flandin's *Alliance démocratique:* "The country must never forget that the *Front Populaire* has been inspired by Communists."[15] The "awful examples" of Russia and now Spain must be avoided at all costs!

The country, however, refused to be stampeded by any such formidable catalogue of threatened "disasters." Popular Front campaigners were successful in convincing the majority that the real menace to republican liberties came rather from the fascist-inspired policies of the self-styled "republican front," in the creation of which de la Rocque essayed the thankless rôle of arbiter. "Up France—against the tyranny of money!," exhorted another favorite type of poster used by the Left front. "It behooves you to vote Socialist," urged the election manifesto of Léon Blum's own party, "in order that the public credit may no longer be under the dictation of high finance and that the Bank of France may become the Bank of the Nation."[16] Since France no longer had a king, the Bank of France no longer had need of "regents."[17]

Communist propaganda was admirably designed to allay bourgeois fears. On the whole, it was more concrete, less highbrow, and closer to the deeply rooted instincts of the people than that of the Socialist party. Small business, for example, was reassured by prom-

[12] In an interview quoted in *l'Ordre*, May 2, 1936.

[13] *L'Echo de Paris*, April 30, 1936. After the final voting had revealed the amazing proportions of the Popular Front victory, *Le Temps* caustically referred to the "fate" of the Radicals as follows: "*Les responsables sont en même temps les victimes.*" (May 5, 1936).

[14] M. E. Ravage, "The French Socialists in Power," N. Y. *Nation*, June 3, 1936.

[15] From an editorial in *Le Temps*, April 8, 1936.

[16] For the full text of this manifesto, cf. *Le Populaire*, April 6, 1936.

[17] J.-F. Compeyrot, "Reflexions sur les Elections," *Revue Pol. et Parl.*, May 10, 1936.

ises of cheap credit and government subsidies. High tax levies were to be imposed only upon incomes of over 75,000 francs, and not upon the "little fellow." "For a France free, strong, and happy!," was a slogan that may have sounded strange, coming from men who, as orthodox Marxists, had categorically refused, only two years earlier, to vote for military appropriations or to have any traffic with bourgeois or "reformist" parties; but Hitlerism had imposed upon them a new imperative. "We Communists," proclaimed their dynamic young national secretary, Maurice Thorez, "have reconciled the tri-color flag of our fathers and the red flag of our hopes. We appeal to you, workers, peasants, intellectuals, young and old, men and women—to all of you, people of France."[18]

On more concrete matters, notably foreign policy and devaluation, considerable confusion and vagueness were noticeable *inside* the two major coalitions. There were those on the right who wanted a Franco-German *rapprochement*, even though it be with Hitler's Germany; others declared that such an idea was impossible of achievement. Among the Radicals were fervent apostles of collective security, like M. Herriot; alongside them were others who desired "a more immediately realizable policy, even if it involved direct negotiations with Germany and Italy." In the ranks of the Socialists, a similar confusion prevailed among those who argued that "French diplomacy should above all be anti-Fascist and anti-Hitler" and those who emphasized "the absolute necessity of maintaining peace."[19] Nearly everybody declared against devaluation of the franc, but without being sure that it could be avoided, or, at any rate, without being able to specify a feasible alternative policy.

While the results of the first ballot on April 26 indicated a distinct trend toward the left, few observers then foresaw the amazing proportions of the victory which the Popular Front was to win a week later. Only 185 out of 618 seats were filled in the first polling, 122 of them going to parties on the right.[20] In comparison

[18] As reported in *Le Temps*, April 19, 1936.

[19] J. Kayser, *op. cit.*, *International Affairs*, July-Aug., 1936.

[20] This was but 30 per cent of the total number, as against 42 per cent in 1932 and 31 per cent in 1928. Only three *départements* in metropolitan France elected all their representatives *au premier tour*, while in 22 *départements ballottage* was necessary for the entire quota of seats. *Le Temps*, May 3, 1936. Of the 185 men elected on the first ballot, 149 were members of the old Chamber.

with 1932, the popular vote was divided between the two opposing camps as follows:[21]

| | *1932* | | *1936* | |
|---|---|---|---|---|
| | *Total* | *Per cent* | *Total* | *Per cent* |
| Right | 4,380,717 | 46 | 4,323,297 | 44 |
| Left | 5,194,653 | 54 | 5,515,646 | 56 |

It will be noted that the Right received only 57,420 fewer votes than four years earlier, while the Left increased its total by 320,993 votes. Taken in the aggregate, these figures would seem to indicate only a slight movement of the French political axis leftward. If, however, the allocation of the vote by parties is analyzed, the results take on deeper significance. In both camps, the moderate or center groups lost heavily to the groups on the periphery. Thus Flandin's "Left Republicans," on the right center of the Chamber, polled 15 per cent fewer votes, while Louis Marin's Republican Federation, on the extreme right, made a gain of 28 per cent. Among the Popular Front parties, the Radical Socialists suffered a severe loss of nearly 24 per cent; the Socialists (*S.F.I.O.*) barely held their own; while the Communists increased their vote by 83 per cent, their total strength actually exceeding that of the Radical Socialists, who fell to fourth place among the parties in voting power. Including the "dissidents," the Socialists and Communists together accounted for 42 per cent of the total popular vote, as against only 35 per cent in 1932. Stated differently, this shift indicated that the proportion of the electorate converted, temporarily at least, to some brand of socialism was one-fifth larger than four years earlier.

Maintaining a solidarity and a discipline which not only confounded its opponents, but surprised its own leaders, the Popular Front was able to magnify its victory in the run-off vote. In as many as 90 per cent of the 424 districts where *ballottage* occurred, the contest was narrowed down to two candidates, representing the Popular Front and the "conservative front" respectively.[22] Since most of the moderate radicals were eliminated on the first ballot, the Left vote was largely concentrated on Socialists, Communists, and left-wing radicals of the Daladier type. Running from

[21] As given in *Le Temps*, April 28, 1936.

[22] Well over half of the candidates in the second voting were men whose names did not appear on the first ballot. *Le Temps*, May 1, 1936.

left to right, party strength in the new Chamber is distributed as follows:[23]

| *Popular Front* | | *Opposition* | |
|---|---|---|---|
| Communists | 72 | Democratic Left and Independent Radicals | 39 |
| Socialists (*S.F.I.O.*) | 149 | Popular Democrats | 13 |
| Social and Republican Union (dissidents) | 29 | Left Republicans | 44 |
| Radical Socialists | 109 | Social Action and Agrarians | 39 |
| Independent Left (fragments) | 28 | Popular Action | 16 |
| | | Republican Federation | 59 |
| | | Independent Republicans | 12 |
| Total | 387 | | 222 |

Not only did the impressive Left majority of 165 exceed all expectations, but the swelling of the Communist delegation from 12 in the old Chamber to 72 in the new constituted twice as great a gain as the latter had dared to hope for. Moreover, for the first time in the history of French national elections, the Socialists emerged as the largest single voting group in the Chamber—considerably larger, of course, than they would have achieved under a system of proportional representation.[24]

In attempting to explain the results of the 1936 elections, French political observers are substantially agreed on two points: first, that the electorate remained firmly attached to the principles of democracy, and second, that it wished to register an emphatic protest against existing economic conditions. There was a desire, somewhat confused and not wholly articulate, for some sort of change. Within the general framework of democracy, new men with a new policy were sought.

[23] As reported in the *Journal Officiel*, June 10, 1936. These totals do not include nine deputies not affiliated with any official party group.

[24] On a proportional basis, the popular vote on the first ballot would have given the major Popular Front parties the following quotas of seats:

| | *Proportional* | *Actual* |
|---|---|---|
| Communists | 91 | 72 |
| Socialists | 111 | 149 |
| Radical Socialists | 87 | 109 |

The total number of Popular Front seats would have been reduced from 387 to 346. The Communists, in particular, suffered from the existing electoral system because their vote was concentrated in a comparatively small number of industrial constituencies. Over half of the Communist contingent in the new Chamber represents the region of Greater Paris. In contrast, the Socialist vote was widely distributed throughout provincial France, including a considerable rural strength.

That not only parties, but individuals as well, were changed by the elections is indicated by the fact that 277 members (45 per cent) of the new Chamber were without previous service in Parliament.[25] Among them were more than forty artisans and manual laborers. Many of the new deputies, moreover, were young men in their thirties or forties, a few of them still in their twenties. Notable among the older conservative leaders suffering defeat were Franklin Bouillon, who lost to a Communist; Jean Fabry, former minister of war; and Jean Gay, extreme Rightist. On the moderate Left, M. Herriot barely escaped defeat by his nationalist opponent; while M. Déat, neo-socialist air minister in the Sarraut cabinet, was beaten by a Communist. On the other hand, all the outstanding leaders of the Popular Front were elected.

Granted the magnitude of the Popular Front's success, there is little reason for assuming that the large popular strength attained by the Socialists and Communists is a safe measure of the extent to which the doctrines of Marxian socialism have been accepted by the French masses. Discontent with deflation, the decree-laws, unemployment, and rising living costs drove thousands to support the *reformist* program of the Popular Front without any intention of swallowing the implications of revolutionary Marxism—all the more in that the leadership of two big parties on the extreme left repeatedly insisted during the campaign that they were as "patriotic" and "republican" as old-line radicals.

Nevertheless, in one vitally important regard the elections of 1936 constitute a "veritable revolution in French political tradition." They have substituted for habitually unstable and heterogeneous parliamentary majorities, dominated by *l'esprit radical*, a compact, dynamic majority in which *l'esprit ouvrier* is uppermost.[26]

## III

If the Socialists as a group were momentarily stunned at finding themselves faced for the first time with the responsibility of forming a government, Léon Blum himself showed no signs of panic. Within a few hours after the outcome of the elections became known, he unequivocally announced to the country: "The Socialist

[25] With the exception of the *Bloc National* election of 1919, when 370 new deputies were elected, this figure represents the highest turnover of legislative personnel since the first parliament of the Third Republic.

[26] In this connection, cf. the suggestive editorial comments of *l'Europe nouvelle*, May 9, 1936.

party is ready to assume the rôle which belongs to it—to constitute and direct the government of the *Front Populaire.*" While the Sarraut cabinet was carrying on in routine fashion during the month of May, the veteran Socialist leader reassured the business community that, although he intended "to redistribute the power of wealth which had accumulated in a few hands, . . . he had no intention of destroying that capital which is the result of industry and economy."[27] As a result, bank shares, which had fallen badly in value, soon recovered and the franc regained stability on the exchanges.

Blum's negotiations with the other Left groups regarding their participation in his ministry, however, brought him three disappointments. By unanimous vote, the political bureau of the Communist party not unexpectedly declined his invitation to enter the government, on the alleged ground that such action might provoke "a state of fear and panic in the reactionary press" and jeopardize the program of the new government; but the party would give its loyal and unreserved support to Popular Front policies.[28] Similarly, the C.G.T. declared, through its secretary, M. Jouhaux, that although it would be happy to collaborate with the government on technical matters, its traditional policy of non-participation in state politics compelled it to refuse the offer of a cabinet portfolio.[29] This narrowed the premier-designate's field of choice to three groups: his own party, the Radical Socialists, and Paul-Boncour's Social and Republican Union. The third disappointment was M. Herriot's refusal to take the portfolio of Foreign Affairs, because, as he said, he had lost his hold on the Radical Socialists and become too unpopular as a result of his stand in favor of paying the American war debt.

If the refusal of the Communists to share in the responsibility of governing gave rise to pardonable skepticism in conservative circles, the formers' proposal that Popular Front committees be formed in each local constituency for the purpose of assuring active popular control over government policy was vitriolically branded as a "soviet maneuver." Would not these committees act as "embryo soviets," as instruments of insidious propaganda, as agencies with

[27] As reported in the *New York Times*, June 14, 1936.

[28] Cf. *Le Temps*, May 16, 1936.

[29] *Ibid.*, May 18, 1936. Presumably, M. Blum wanted M. Jouhaux for the portfolio either of Labor or of National Economy.

which to prepare the revolution? Some Socialists, and many radicals also, seemed rather wary of the idea. The Communists continued to insist that they would do nothing to endanger the success of the program on which the *Front Populaire* had won the election. In addition to the official ministry in Paris, however, a "*ministère des masses*," as it were, should be set up throughout the country in order to provide as wide a basis as possible for popular support of the government.

Meanwhile, an epidemic of strikes had broken out in the industrial suburbs of Paris. Beginning on May 26, over 500,000 workers had by June 5 occupied 300 factories, starting with metallurgical and munitions plants, then spreading to the petrol, chemical, paper, textile, and building industries in various part of the country, and finally extending to department stores, restaurants, and cafés. It was in an atmosphere of electric tension, therefore, that Parliament convened on June 4 and the new government took office.

M. Blum lost no time in presenting his cabinet to the Chamber. It proved to be of almost record size, including twenty-one ministers and fourteen under-secretaries.[30] Of its thirty-five members, sixteen were Socialists; thirteen, Radical Socialists; and three, dissident Socialists. Three belonged to no party. Twenty-seven were deputies, four were senators, and four came from outside Parliament. Although there were precedents for selecting non-parliamentarians, the inclusion of three women was a genuine innovation. The new cabinet proved unusual in two other respects: (1)twenty-five of its members were without previous ministerial experience, and (2) it was composed of what is, for French politics, a surprisingly youthful group of men and women. Upon taking office, their average age was only fifty, four of them being under forty, and only three over sixty.

For the purpose of improving inter-departmental coöperation, M. Blum introduced a further interesting departure. The various ministries were grouped functionally under five heads: (1) national defense, (2) general administration, (3) foreign relations and France overseas, (4) national economy, and (5) social solidarity. The ministers and under-secretaries in each group were to constitute a committee of administrative coördination. Several new social services were recognized by the creation of additional under-

[30] It was the largest since the Clemenceau government of 1917–20.

secretaryships, as, for example, sports, leisure, and child welfare.

In announcing the personnel of his government, M. Blum explained to the press some of the reasons for the changes:[31]

> The presentation of this list somewhat differs from the customary style. I have not acted thus in order to avail myself cheaply of the appearance of an innovator. I have not sought to do this for the sake of originality. My purpose is to answer very serious needs.
>
> I decided to take the office of president of the council without portfolio because I have always considered the premier's function essentially one of coördination and correlation. The more logical distribution of ministerial work should permit deeper administrative reforms.
>
> Such distribution of work will facilitate reforms in permitting preliminary classification of ministerial business.
>
> I desire in this respect to go further as the new government goes on. It is a necessity at a period in which state functions are constantly increasing and becoming so varied. Our effort needs to be concentrated through uniform direction upon essentials, which the situation demands as a result of the extreme diversity of work in each ministerial department.

IV

At the time when these lines were written, the first phase of the Popular Front government had come to a close. After a momentous session of ten weeks, Parliament adjourned on August 14 with the enactment of over sixty pieces of reform legislation to its credit. For courageous political drive and effective parliamentary generalship, no French cabinet has ever before approached the record made by M. Blum and his colleagues. Well might he take pride in claiming, during the final session of the Chamber, that "the greatest social movement which had been accomplished since the foundation of the Third Republic had been done without any shedding of blood, but by persuasion only."[32]

The government's task, however, had not been an easy one. It had to act quickly, boldly, and simultaneously on three different fronts—the industrial, the legislative, and the international. Premier Blum's most immediate problem was to keep the epidemic of labor strikes from degenerating into violence and anarchy. For, as he correctly diagnosed the situation in his radio appeal to the nation on June 5: "To be effective, the government must have public security. It would be paralyzed by any infringement of order, by any interruption in the vital services of the nation. Any

[31] Quoted in the *New York Times*, June 5, 1936. Another deviation from time-honored custom was the designation as vice-president of the council of ministers, not of the minister of justice, but the minister of national defense.

[32] Quoted in *New York Times*, August 15, 1936.

panic, any confusion, would serve to obscure the designs of the adversaries of the Popular Front, among whom some are already preparing for revenge. The government demands, therefore, that the workers submit to law in so far as their claims can be settled by law and that they pursue their other claims with calm, dignity, and discipline. It demands from the employers an examination of these claims in a large spirit of justice. It regrets that the intransigeant attitude of the employers coincides with its coming to power."[33] By "claims that can be settled by law," M. Blum had reference to the three major labor reforms contained in the Popular Front's platform: the forty-hour week, paid vacations, and collective wage contracts. The enactment of laws incorporating these proposals, he promised, would be asked of Parliament before it adjourned for the summer vacation.

It was, indeed, a nasty dilemma that confronted him as a veteran Socialist leader who was now the head of a government responsible to a Parliament, the majority of whose members were not really socialist in the lower house, let alone in the upper. To be successful, his course must be one which would satisfy enough of the workers' demands to induce them to return to work, without at the same time going so far as to alienate the support of that pivotal section of French opinion which, while generally sympathetic to the workers' grievances, was sincerely shocked by the "illegality" of their seizure of employers' property.

By the middle of June, with a million workers in all parts of France on strike, on farms as well as in the cities, many commentators were beginning to characterize the phenomenon as "the beginning of revolution." Else why should the workers be resorting to "direct action" at this time? Was there not a government in power that had promised them the realization of all they had a right to expect, given the existing limitations of the national economy? Who had, in fact, ordered the workers to go on strike? It was natural for conservative circles to point the finger of blame at the Communist leaders. Here was another bolshevik maneuver undertaken with a view, first, to disrupting the Blum government, and then to seizing power by means of a general strike.[34]

Such evidence as is available does not substantiate the charge that the strikes were deliberately plotted by the national Com-

[33] *Ibid.*, June 6, 1936.

[34] Cf. R. Pinon, "Histoire Politique," *Revue des Deux Mondes*, July 1, 1936.

munist organization, even if its propaganda did indirectly influence the behavior of certain labor groups. Not only did the secretary-general of the Communist party remind the Paris workers on June 11 that "they should know when to end a strike," but M. Jouhaux denied that the C.G.T. had issued a single strike order to any part of its rapidly expanding membership. Furthermore, in his radio address of June 6, he assured the population that food, health, and security services would be maintained at all costs. As a prominent English correspondent in Paris observed, it is probable that "the strike was largely, though in many cases not entirely, spontaneous. In many factories it was decided upon an hour, or half an hour, in advance by a small organized group—usually communist—who declared that at such-and-such a moment the works would be 'occupied.' How far these enterprising local communists acted on instructions from above is uncertain."[35] The chances are that most of the strikers, emboldened by the sweep of the Left's electoral victory, sensed that it gave them a golden opportunity to secure wage increases such as they might not soon have again. This interpretation of the strikes is supported by their uniformly peaceful character. Nowhere was violence or sabotage resorted to. The workers merely "folded their arms" and "staid in" their places without working. An atmosphere almost of gaiety prevailed among the employees of certain establishments, notably the department stores of Paris. Except for a few days when truckmen and petrol distributors stopped work in the Paris area, the general public suffered little inconvenience. Although peasant proprietors here and there reacted rather vehemently against the occupation of their farms, the sympathy of the urban population remained, by and large, with the workers.[36]

Speaking before the Chamber on June 6, M. Blum said that while he did not consider the workers' occupation of the factories "legal according to the civil law," the government's task was to serve as arbiter and conciliator. Accordingly, he assumed responsibility the next day for negotiating the "Matignon agreement" between representatives of the General Confederation of Labor and the General Confederation of Production, by the terms of which the employers were to recognize the right of the workers to organize

[35] A. Werth, "France's New Leaf," *New Statesman and Nation*, June 27, 1936.

[36] For an interesting discussion of the attitude of rural France, cf. P. Dominique's editorial in *l'Europe nouvelle*, July 25, 1936.

and make collective wage contracts, by which wage increases of from seven to fifteen per cent were promised, and by which the employers pledged themselves to apply the forty-hour-week law in good faith and to grant paid vacations to their employees. The general provisions of this accord were to be followed by specific agreements in each industry concerned.

M. Jouhaux at once hailed the Matignon accord as "the greatest victory in the history of French trade unionism." Taking into account the effect of paid vacations and reduced hours of work, it was his boast that the workers had really gained the equivalent of a thirty-five per cent increase in wage scales. This claim was later contested by impartial observers, who pointed out that in reality the most favored workers could expect no more than a net twelve per cent gain, while some would actually lose.[37] Using less restrained rhetoric in addressing his comrades on June 14, M. Thorez called the labor victory "a bloodless revolution." "The strikers," he added, "had not damaged the factories because they knew they would soon become their property."[38]

In plain language, the facts were that the employers had yielded —not so much out of the generosity of their hearts as because they knew that if they did not yield, Messrs. Blum and Jouhaux had decided to requisition certain industrial and commercial establishments, order the workers back to work, and pay them with government funds. Once begun on a temporary and partial scale, where would nationalization stop? No doubt, also, some employers were activated by the hope that devaluation, higher prices, a "controlled economy," government collapse, and then fascist dictatorship would follow in quick succession. M. Jouhaux himself voiced a fear that "some such vicious circle as this" might occur.

The Matignon agreement did not bring an immediate end to the strikes. The contagion spread to new groups of workers in industries where the employers were slow in carrying out their promises, or where the employees were induced to exact larger wage demands than had been contemplated by the terms of the agreement. Prodded by its Radical Socialist supporters, the government was forced to station Republican Guards at strategic points in Paris and take other precautionary measures to protect public order. By the middle of June, the evacuation of 400 factories was effected and most

[37] Cf. P. Dominique, in *l'Europe nouvelle*, June 20, 1936.

[38] As reported in the *New York Times*, June 15, 1936.

of the major strikes were terminated. Nevertheless, sporadic outbreaks continued to take place in provincial centers and rural areas. Conservative opinion was becoming increasingly alarmed as unrest persisted. In the Senate, this uneasiness culminated on July 7 in a vigorous interpellation of the government's policy, during the course of which the Minister of the Interior (M. Salengro) was reluctantly forced to promise that he would not permit a recurrence of the "stay-in" strikes. If there were future attempts to occupy factories or farms, he said, "the government would, by all appropriate means, put a stop to them." The Rightist press was quick to characterize the Senate's vote of confidence in the government to "assure public order" as amounting to "a vote of censure"; while from the Communist angle *l'Humanité* refused to believe that the Minister of the Interior meant that he would go so far as to use force against the workers.[39] Later, M. Salengro interpreted his pledge in the sense that force would be employed only if persuasion failed. On July 11, a committee of delegates of all the Left parties issued "a solemn warning to the workers against continuation of action that would alienate public sympathy, and gave its approval to the promise made by the Minister of the Interior."[40] By the beginning of August, the strike fever had definitely subsided, although occasional flare-ups among farm workers still gave the government cause for concern.

As embarrasing as were the strikes for the Popular Front cabinet, they may have proved a blessing in disguise. Not only did they have the effect of speeding up the tempo of the government in presenting its reform program to Parliament, but, inspired by fear, neither employers nor legislators dared resist the passage of the labor bills. Within three weeks of the opening of Parliament, the first section of M. Blum's program was on the statute books: (1) the establishment of a forty-hour week for all workers in industry and commerce; (2) the legalization of collective wage contracts; (3) the requirements that annual paid vacations of at least two weeks be granted to all wage-earners and salaried employees in industry, commerce, agriculture, domestic service, and the liberal professions; (4) a law removing existing "waivers" on all salaries up to 12,000 francs for state and local public employees, with a reduced waiver scale for employees in the middle brackets, and restoring the former scale of bonuses to large families; and (5) the

[39] Issue of July 8, 1936.

[40] *New York Times*, July 12, 1936.

restoration of veterans' pensions.[41] All of these measures were overwhelmingly voted without appreciable amendment by the Senate, or, for that matter, extended debate. Amazingly enough, the vote in the upper chamber was in some cases unanimous.

To the rest of the government's program, which had less direct relation to the labor crisis, there was more determined resistance. Nevertheless, M. Blum and his ministers were able to iron out such differences of opinion as developed between the Senate and the Chamber of Deputies by interspersing skilful argumentation on the floor with equally skilful persuasion of party leaders in private conference and frequent appeals to public opinion by press and radio. In the Chamber, the Left front majority held firm throughout the long, warm weeks of debate, despite the restiveness of members who wanted the session to adjourn, as customarily, by Bastille Day. Some compromises with the more conservative Senate had to be made, notably on the bills to reorganize the management of the Bank of France, to establish a National Wheat Board, and to nationalize the munitions industry. But there was no sacrifice of major principle at any stage.

Space does not permit more than a bare enumeration of the other major pieces of legislation which were driven through Parliament by the time it was allowed to go home on August 14. The list itself is impressive: (1) the raising of the compulsory school age to fourteen years; (2) authorization of the government to lower the retirement age for state employees so as to open the doors of the public service to a larger number of young persons; (3) the organization of the coal market and regulation of the prices of mineral products by state authority; (4) the adoption of a new twenty-billion-franc public works program to extend over a three-year period, the funds to be used mainly for the improvement of social hygiene, housing, educational, scientific, and recreational facilities; (5) the extension of cheap credit and government subsidies to small business; and (6) a moratorium on farm mortgages and certain categories of rents.

The government did not stop with economic and social reform. Its Socialist minister of finance, M. Vincent Auriol, had for many years studied and preached the need of revising the notoriously inefficient and complicated French system of taxation. Now, in office, the necessity of finding ways and means of meeting the huge

[41] *Journal Officiel*, June 26, 1936.

Treasury deficit which he inherited, and, what was more, of paying for the heavy costs of the new social legislation, obliged him at once to seek new and wider fiscal powers. Thus he forced through a law authorizing the confiscation of assets held by French citizens in concealment abroad; obtained power to reorganize completely the procedure of public accounting; and secured authority to prepare a plan for simplifying the system of tax assessment and collection for submission to Parliament in the autumn—a step which he believed would produce much additional revenue without increasing tax rates.

To meet his immediate budgetary problem, M. Auriol persuaded Parliament to direct the Bank of France to advance ten billion francs to the Treasury. He then proceeded to consolidate into long-term advances bearing no interest another fourteen billion francs' worth of short-term Treasury bills which the Bank had rediscounted. The Finance Minister's third move was to appeal to the masses to subscribe to a new Treasury loan issued in denominations as small as 200 francs, with interest payable in advance on six months or one year bonds, which might be discounted at any time at the Bank of France. The people must come to the support of their government's social policies, Auriol warned, or face devaluation.[42] How successful this attempt at "popular" financing would be, remained in doubt as these lines were written.

The seriousness and breadth of the Blum government's purpose to inaugurate a "New Deal" are illustrated by a variety of suggestive moves in other directions. It has, for example, set up a committee of inquiry on the needs and aspirations of native peoples in the French colonies and mandated territories, with a view to proposing reforms. Its energetic young Minister of Education is preparing a plan for a new national school for the training of public administrators. It has ordered a drastic reduction in the appropriation of secret funds for subsidizing newspapers and other propaganda uses. Its newly created Department of Leisure is organizing inexpensive excursions to the countryside and the sea which workers and their families may enjoy during their annual vacation periods. Most amazing of all, from the cultural standpoint, is that the government has dared to lay its hands upon the classics-ridden *Comédie Française* and *Opéra Comique* by appointing "modernist" directors to "rejuvenate" them!

[42] The amount of this Auriol loan was not fixed in advance.

V

Looking ahead, M. Blum announced in his first declaration to Parliament that the government intended to present in October a second series of reforms, with a view to establishing a national unemployment fund, insurance against agricultural calamities, and old age pensions.[43] Along with the revision of the tax system, the prompt passage of these measures would virtually complete the enactment of the domestic aspects of the January program within a year after its formulation.[44] Whether or not this happens, the actual accomplishments of the Blum government during its first ten weeks appear all the more remarkable when it is remembered that they were carried out, by orderly democratic procedures, concomitantly with European international turmoil, showy triumphs by fascist dictators, and a bitter civil war on France's southern border, the issues of which tended to divide Frenchmen more sharply than ever into two opposing factions. Regarded by critics as a doctrinaire socialist whose capacity for political leadership was at best dubious, Léon Blum demonstrated what the executive, even in a parliamentary system like the French, may do when it is united in purpose, has the will to govern, and is backed by a disciplined majority in the Chamber.

The real test of the Blum government will come, however, when its "honeymoon" period is over. Three great question marks beset its future: (1) Amid the stresses and strains that lie ahead for Europe, can the Popular Front majority be held intact long enough to consolidate its victories on the economic and social fronts? (2) Can France achieve a sufficient measure of internal economic recovery in time to ward off new revolutionary threats? (3) Can France avoid war in the immediate future?

In the last analysis, the answer to the first question will probably depend upon the answers to the second and third. Only a fool,

[43] It is noteworthy that, preoccupied with its program of social, economic, and fiscal reform, the government let two electoral reform measures fall by the wayside. One was a bill granting woman suffrage, which was passed for the ninth time by the Chamber of Deputies (by a vote of 488 to 1), but which was permitted to die in the Senate. The other was a bill to establish proportional representation which the Socialists and Communist deputies insisted should be postponed until the fall session. "Bread for the workers first, and then P. R!" *Le Temps*, August 1, 1926.

[44] Many observers both inside and outside France have compared the first phase of the Popular Front experience with Mr. Roosevelt's "New Deal" as it looked at the close of the 1933 session of Congress. For the past two years, the French press has been full of discussions of "*l'expérience Roosevelt*."

academic or otherwise, would dare hazard at this stage what these answers will be. The tragedy of the Popular Front may be that it came to power too late. Currents outside France too powerful for it to change or control may sweep Europe, France included, on to catastrophe.

The immediate economic outlook in France is complicated by political commitments made by the Left parties against devaluation of the franc—commitments that now haunt them. They cannot forget that it was on the rocks of inflation that M. Herriot's *Bloc des gauches* crashed in 1926. They fear that devaluation would bring a rise in domestic prices which would weigh heavily upon small-salaried employees and middle class *rentiers*. Nevertheless, the recent wage increases and shorter work-week are generally expected to raise production costs and widen still further the disparity between the French price level and that which prevails in competing countries.[45] In midsummer, the unemployment trend in France was upward and foreign trade was still shrinking. As more and more funds are advanced by the Bank of France to the Treasury, and inflation replaces deflation, monetary devaluation would appear to be inevitable. The only alternative would be a "closed economy," accompanied by a rigid system of state control over trade and foreign exchange as in Nazi Germany.[46] Recent history raises serious doubts whether autarchy can be practiced without the substitution of dictatorial for democratic methods.

There are signs that the opposition to devaluation is weakening in the ranks of the Popular Front. The C. G. T. has become frankly devaluationist. Many small traders and employers are growing restive because of prolonged business stagnation and rising costs. Political wisdom, therefore, would seem to dictate to M. Blum that he find a face-saving technique for the acceptance of a devaluationist policy by his left-wing followers. Then he might lead in negotiating a monetary stabilization agreement with the Anglo-

[45] M. Charles Rist, the eminent French economist, reported last June, after eight months of study as president of a special committee set up by the Minister of Commerce, that there was a twenty per cent differential between French and foreign prices which must be eliminated if French trade was to revive.

[46] In a speech made late in July, M. Charles Spinasse, the new Minister of National Economy, indicated that the government recognized this dilemma, and that it intended to do everything it could to moderate economic nationalism. (*New Statesman and Nation*, August 1, 1936.) Cf. also the clear analysis of the French economic outlook in the London *Economist*, July 4, 1936.

Saxon and gold bloc countries. Will he, can he, do it in time?[46a]

It is beyond the scope of this article to discuss in detail the relation of foreign policy to the Popular Front's chances of survival. Suffice it to say that at no time in post-war France has the popular will to peace been more openly encouraged by official policy. Nor has this policy ever been more sincerely coöperationist. It is a policy willing to seek a generous understanding with Germany, if such is still possible, and ready to resume the struggle for arms reduction, if that is still possible; a policy which has already taken action to end the pernicious practices of French munitions-makers. Previous cabinets, however, by encouraging Mussolini and playing a vacillating hand with England, have weakened France's position. She is now faced with a rearmed and chauvinistic Germany, whose Nazi rulers are deeply suspicious of a Leftist France presided over by a Jew and allied with the hated Soviets. The Popular Front leadership realizes that the die may already be cast. At all costs, France must strengthen her defenses, seek further alliances with democratic nations, and hope for the best. The Quai d'Orsay's unflagging efforts to secure an agreement from the Powers not to intervene in Spain, despite the pressure of French labor for a policy of open assistance to the Spanish loyalists, are sufficient illustration of the diplomatic "tight rope" which M. Blum and his ministers have to walk.

At home, unless economic conditions improve rapidly, dissensions in the Popular Front may bring down the government in Parliament. Notwithstanding official assurance from Communist leaders that "the hour for revolution has not come," there were indications by July that some of the middle class "radicals" were becoming alarmed over Communist intentions. Certain of the Radical Socialist leaders were actually intriguing against the government in the press and in the Senate and Chamber lobbies. While for the moment the danger of a fascist *coup d'état* is negligible, the legal dissolution of the *Croix de Feu* and lesser "leagues" in June by no means put an end to their activity.[47] If they persist in openly

[46a] Devaluation was voted by Parliament at the end of September.

[47] Four decrees issued on June 18 ordered the dissolution of the *Croix de Feu*, the *Parti National Populaire* (formerly the *Ligue des Jeunesses Patriotes*), the *Parti National Corporatif Républicain* (formerly *la Solidarité Française*), and the *Parti Franciste* (an openly fascist organization). De la Rocque at once announced the formation of a new "National Social party" which would be "neither white nor red, but blue, white, and red," in defense of the national flag against the red. By August

subversive propaganda, they may have to be dealt with in a less democratic fashion. The success of an unconstitutional reactionary offensive would depend upon the army, whose officers appear to be divided in their political sympathies. The police can be counted on to support the legally constituted government; the chances are that the army would do likewise if the test came.

Should the Blum government be defeated in the Chamber, it is hard to see what sort of governing combination could take its place. The construction of a new *concentration républicaine* would not be easy, since that would mean that the Radical Socialists would have to join with Marin's Republican Federation, now extreme rightist in outlook. A new *union nationale* is equally difficult to imagine. The only workable parliamentary alternative would seem to depend upon the willingness of the moderate Right to coöperate with the Left *minus* the Communists. Before defeat actually came, or in case the economic crisis should grow worse, the government might attempt to dissolve the Chamber and go to the country for a frankly socialist mandate.[48] This move, of course, would require the Senate's acquiescence. Or the working masses, fortified by their new confidence and discipline, might take the issue "to the streets," with civil war and a Left (or Right?) dictatorship as a possible consequence.[49]

These are some of the imponderables in the French political scene. Whatever the future holds, the current of French politics is not likely to return to old channels. New men and new ideas are struggling for ascendancy. The French electorate is forming a new pattern based much more sharply than heretofore upon rigid class divisions. If the goddess of fate smiles, the processes of change will be evolutionary. If she frowns, who knows what?

The Popular Front is more than an "interlude." It has started

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there were signs that the right wing elements in the French fascist camp might desert the "aristocratic" and rather ineffective de la Rocque for the dynamic renegade Communist, Jacques Doriot, who has built up during the last two years the most vehemently anti-soviet organization in all France.

[48] This possibility was suggested by Paul Jaure, secretary-general of Blum's party and minister of state in his cabinet, in a public speech on June 14. *Le Temps*, June 16, 1936.

[49] The C. G. T. reported in August that its membership had reached 4,300,000, nearly twice as large a figure as at the previous peak in 1921. On the other hand, the registered membership of the Communist party had increased from 80,000 in January to only 183,000 in July. *Le Temps*, July 10, 1936.

France along the road to socialization. It has won the first skirmish with the vested interests of high finance and heavy industry. It has still to "democratize" certain key branches of the public service—diplomacy, Treasury inspectorate, judiciary, and army—if its policies are to bear fruit in terms of effective social administration. It has ahead of it the knotty problem of parliamentary reform. It has a fair chance of success—provided youth has time to act before war comes. In any event, the Popular Front is a "prelude" to something different for France. This something may be neither fascist nor communist in model, but another peculiarly "*French* Revolution," bloodless or otherwise.

# THE GOVERNMENT OF ITALIAN EAST AFRICA

H. ARTHUR STEINER
*University of California at Los Angeles*

## I

On May 4, 1936, the Emperor Haile Selassie departed from Djibuti aboard the British cruiser *Enterprise*, en route to Geneva by way of Palestine and England. On May 5, the victorious legions of the Second Roman Empire, commanded by Marshal Pietro Badoglio, entered Addis Ababa after what appears to have been a week of looting and pillaging in the Ethiopian capital. A few hours later in Rome, Benito Mussolini thunderously declared to a hastily-summoned *Adunata*: "Ethiopia is Italian! Italian in fact, because occupied by our victorious armies; Italian in law, because with the gladiators of Rome, civilization triumphs over barbarity, justice over arbitrary cruelty."[1]

At the behest of its *Duce*, a grateful Italy surrendered itself, between May 5 and May 9, to the most riotous celebration in the annals of Fascism. To climax the memorable jubilee, Mussolini appeared on the balcony of the Palazzo Venezia, after consulting successively and rapidly with the Fascist Grand Council and the Council of Ministers in the late evening of May 9, to read to the second *Adunata* of the week the substantive provisions of a new royal decree-law.[2] Therein (1) Ethiopia was declared to be under the full and complete sovereignty of Italy;[3] (2) the assumption by the king of Italy of the additional title, emperor of Ethiopia, was proclaimed; and (3) announcement was made that Ethiopia would be governed in the future by a governor-general, with the title of viceroy of Ethiopia. By a second decree-law of the same date,[4] Marshal Badoglio, Marquis of Sabotino, was named first viceroy.

[1] *Popolo d'Italia* (Milan), May 6, 1936. Accounts of each of the events subsequently noted will be found in the *Popolo d'Italia* of the day following the date of the event.

[2] R.D.-L., May 9, 1936, no. 754, *Gazzetta ufficiale*, (hereafter cited as *G. U.*), May 9, 1936, no. 108. The event appears to have inaugurated a new calendar. At Avellini, on August 30, Mussolini closed the military maneuvers of the "Year One of the Fascist Empire!" (*Popolo d'Italia*, Sept. 1, 1936).

[3] The same language was used in the R.D.-L. of November 5, 1911, no. 1247 (*Bollettino ufficiale Ministero delle Colonie*, 1913, p. 7), which proclaimed, after their conquest, the absorption of Tripolitania and Cyrenaica. See the present writer's *Italy in Africa: A Study of the Italian Imperial System*, now in press, Chap. 3.

[4] R.D.-L., May 9, 1936, no. 755, *G. U.*, May 9, 1936, no. 108.

Down in Ethiopia, the new viceroy had required no formal appointment in order to set in motion the machinery of civil government. But within three weeks, Badoglio left Addis Ababa to return to Rome, charging the newly-created marshal, Rodolfo Graziani, who had conducted military operations on the southern front, to act as his regent. On June 11, Badoglio was formally released from his vice-regal responsibilities and created Duke of Addis Ababa, while Graziani was designated as the second viceroy of Ethiopia.[5]

To complete the requirements of Italian constitutional law for the absorption of Ethiopia, the decree-laws of May 9 were submitted to Parliament for confirmation. By unanimous votes, the Chamber of Deputies, on May 14, and the Senate, on May 16, enacted the necessary "conversion" law of May 18.[6] Observing, doubtless, the etiquette prescribed by the Berlin treaty of 1885, Italian diplomatic representatives were instructed, on May 12, to deliver to the governments to which they were accredited the texts of the decree-laws. By these acts, the acquisition of Ethiopia was completely ratified by the necessary Italian parliamentary and constitutional procedure. On June 1, by the new ordinance for the government of Italian East Africa, the basic codes of law of the kingdom were placed in force there. To satisfy the procedure of international law appeared somewhat more difficult, but as early as May 20 it was announced from Budapest that the Italo-Hungarian commercial agreement, then under negotiation, would include Ethiopia in its scope. During May and June, many of the foreign legations in Addis Ababa were closed. President Roosevelt recognized the termination of hostilities by revoking the American arms embargo on June 20, and League sanctions were lifted, as of July 15, 1936.

Immediately upon entering Addis Ababa, Marshal Badoglio

[5] The Badoglio-Graziani combination is an old one. Badoglio was governor of Tripolitania and Cyrenaica from December 18, 1928, until December 31, 1933. Under his direction, Graziani was charged with execution of the pacification program, and completed the conquest of the Fezzàn between 1928 and 1930. He then became vice-governor of Cyrenaica (March 16, 1930–April 30, 1934) and there, still under Badoglio's direction, Graziani routed the Senussi and finally pacified eastern Libya. The record is found in his *Verso il Fezzàn* (Tripoli, 1930) and *Cirenaica pacificata* (Milan, 1932). On March 7, 1935, Graziani became governor of Somalia, and on November 27, 1935, Badoglio, appointed high commissioner for East Africa, resumed the collaboration with Graziani. The present instance, however, is the first in which Graziani has actually taken a position vacated by Badoglio.

[6] No. 867, *G. U.*, May 25, 1936, no. 120.

observed a well-established precedent of Italian imperialism by issuing the following proclamation on May 5, 1936: "Peoples of Ethiopia! The troops of the powerful king of Italy today entered Addis Ababa. Normal life returns to the cities and villages. No action will be taken against those who abandon their weapons and resume their fruitful labor. Under the shadow of the victorious tricolor of Italy, the peoples of Ethiopia will have peace, justice, and prosperity. Given at the Imperial *Ghebi*, May 5, 1936-XIV."[7]

With this declaration of a general amnesty, the Italian authorities proceeded promptly to consolidate their rule. In the military sphere, the II and III Army Corps "wiped-up" in northern Ethiopia in the region of Amhara, while the forces led by General (and Fascist Party Secretary) Achille Starace moved into Debra Marcos, completing the occupation of the Lake Tsana region and the Goggiam to its south on May 21. On the southern front, Marshal Graziani entered Harrar on May 8 and Dire Daua on May 10, and completed the occupation of adjoining areas in the week following. Ethiopian military resistance had collapsed. Ras Nassibu, Ethiopian commander in Harrar, boarded the special train carrying the outgoing emperor, and no native military organization capable of offering systematic resistance remained. The collapse prompted the *Popolo d'Italia* to say, on June 14, 1936: "L'Etiopia era un grande *bluff*." Meanwhile, Ethiopian commanders trod on each others' heels as they poured into the Imperial *Ghebi* in Addis Ababa to make obeisance.

Civil government was established in Addis Ababa under military auspices and, on June 1, 1936, a basic law for the government of Italian East Africa, following the recommendations of Badoglio, was issued in Rome.[8] In every occupied city of consequence, a local *fascio* of the Fascist party was set up, and a daily paper, the *Giornale di Addis Ababa*, made its first appearance on May 25, under the editorship of the *fascio* in the capital. Subsequently, three new federations of *fasci* were created, in charge of federal secretaries, in Addis Ababa, Harrar, and Gondar, in addition to those already existing in Asmara and Mogadiscio.[9] Significantly,

[7] *Popolo d'Italia*, May 7, 1936.

[8] R.D.-L., June 1, 1936, no. 1019, *G. U.*, June 13, 1936, no. 136.

[9] The "Federals," usually the most influential civil authorities in their respective areas, were the following, as of June 22, 1936: Guido Cortese (Addis Ababa), Leonardo Gana (Asmara), Alessandro Strazza (Mogadiscio), Mario Pigli (Harrar), and Francesco Bellini (Gondar). Notice of their appointment appears in *Foglio di disposizioni del P. N. F.*, no. 610, June 22, 1936.

this development did not extend to Gimma, where the summer was featured by native disturbances. Elsewhere, school-teachers took time out from military activities to administer a few formal lessons to native children for the benefit of the news-reels; and, with great fanfare, Italian hospitals were organized and normal business restored, at least in the capital. The "fascization" of Ethiopia proceeded, on May 19, with the formation of the Ethiopian "Youth of the Littorio," to provide pre-military training for native youngsters under the direction of the *Opera Nazionale Balilla*. Italian leaders professed to be highly pleased with the way in which the transition to the new order had been brought about. Allowing ample discount for the exaggerated claims of the Italian government, the fact nevertheless remains that a great amount of genuinely constructive work was accomplished in the first two months of the Italian occupation.

While the Italian press regaled its public with accounts of the open-hearted welcome of the Italian forces by the natives,[10] the high command in Addis Ababa made preliminary overtures to establish a collaborative relationship with the native notables. A large number of these, including the highest figures in the Coptic and Moslem churches, ex-ministers of the Negus, and other dignitaries of local importance, appeared before Regent Graziani on June 10 to declare their "loyal and complete submission to the laws and ordinances" of the new emperor, and their refusal to "recognize, inside or outside of Ethiopia, any other authority than that appointed and established by the legitimate Sovereign, Vittorio Emanuele III." In his response, Graziani pledged his intention to govern Ethiopia as the First Roman Empire had governed its provinces, with the participation "in the imperial organ of the *Consulta* of the best representatives of the native peoples." Severe punishment was promised those who refused to honor the mutual pledge to collaborate in promoting the "greatness, prosperity, happiness, and civilization of Ethiopia." Considering the feudal conditions which have prevailed in Ethiopia and the overwhelming superiority demonstrated by Italian arms, the aspiration to govern with native coöperation is not as unreasonable as might at first appear.

II

Prompt measures were adopted, both in Ethiopia and in Italy, to promote the colonization of the new province of the Empire.

[10] An especially amusing account appears in *Popolo d'Italia*, May 22, 1936.

The colonization schemes have a double purpose: (1) to introduce into Ethiopia large numbers of Italian colonists, and (2) to set in motion a program for the *valorizzazione* (or, as the French put it, *mise en valeur*) of the economic resources of the country.

Some foretaste of the Italian ambition for the demographic colonization of Ethiopia may be had from an examination of the comparable project established in Cyrenaica in April, 1933. The *Ente* for the Colonization of Libya transplanted 323 agricultural families into Cyrenaica between April, 1933, and January, 1935, with a total expenditure of 29,000,000 lire.[11] This average outlay per family of approximately $7,500—not entirely representative inasmuch as many of the expenditures were in the nature of capital investment—indicates that cost is not regarded as an important or primary consideration, and augurs the expenditure of comparable sums in Ethiopia. The first colonization of Ethiopia followed as a direct result of the conquest: on May 31, 1936, there were 92,736 Italian workmen in East Africa, despatched there by the Commissariat for Migration and Internal Colonization to build roads and other semi-military works.[12] To this number should be added those of the Voluntary Militia of National Security (the unique Black Shirt Army) who will be "prevailed" upon to remain to continue the civilizing work already begun. The number of these—for military reasons, not disclosed—brings the total number of men available for colonization to approximately 200,000. It will also be remembered that the only troops being withdrawn from Ethiopia are the volunteer regiments. Thus it may be expected that many of the regular army men, organized in the *Opera Nazionale Combattenti*, which has done comparable work in Libya and in the reclaimed provinces of continental Italy, will be diverted to colonization projects. The Italian press began to urge, in May and June,

[11] See "Le realizzazione dell'Ente per la Colonizzazione in Cirenaica," *Cirenaica economica* (Bengasi), III (February, 1935), 65–69; *Relazione della giunta generale del bilancio* (Relatore Ferretti di Castelferretto), *Atti parlamentari*, XXIX Legis., 1934–1935 Session, Camera dei Deputati, no. 442-A, pp. 17–21; Ministerial report (Mussolini) on project of law, *Atti parlamentari*, XXIX Legis., 1934–1935 Session, Camera dei Deputati, Disegno di legge, no. 633.

[12] *Popolo d'Italia*, June 7, 1936. The total number of Italian workmen sent to East Africa between January 1, 1935, and May 31, 1936, is officially reported to have been 118, 540, of whom 25,351 were repatriated, while 453 lost their lives. Considering the normal death-rate and the peculiar military and climatic conditions found in East Africa, the last number is unbelievably small. The same generalization applies to official Italian estimates of military casualties.

that women be despatched to organize family life. With the men now on the scene, and the pressures operating to increase the total, it is not improbable that between 400,000 and 500,000 Italians will have taken up permanent residence in Ethiopia by the end of the first year.

Physical development must accompany the population movement. To this end, the Public Works Credit Association (*Consorzio di Credito per le Opere Pubbliche*) announced, as early as May 16, that 100,000,000 lire had been set aside, a sum subsequently increased by the contributions of other fiscal agencies. The financial basis for exploitation was thus early assured. A program to construct nearly 2,000 miles of roads tying Om Ager, Adigrat, Assab, and Gimma more closely to Addis Ababa was given precedence. Preliminary plans for railroads from Mogadiscio, Assab, and Massaua, respectively, to Addis Ababa, recalling the old Italian ambition, were announced in June. On these works native labor will be utilized, paid according to a daily wage-scale fixed by the governor-general.[13] Assurance can be given prospective Italian colonists that others will perform the heavy and tedious labor.

Count Volpi of Misurata, himself formerly the governor of Tripolitania (1921–1925) and now president of the Fascist Confederation of Industrialists, was charged on May 11 to organize the major survey of Ethiopian resources. Other specialized surveys were set on foot simultaneously, utilizing the technical talents of the Italian Academy, the Royal Italian Geographical Society, the Fascist Colonial Institute, the National Research Council, and the Institute of Colonial Agriculture—organizations long interested in colonial questions. Even though Italians have spoken of colonizing Ethiopia since Baron Franchetti set the fashion fifty years ago,[14] the actual resources of the country have never been seriously examined and it may be questioned whether there is any basis in

[13] Under the definition of the Convention on Forced Labor adopted by the International Labor Organization in 1930 and applied in other Italian colonies by the R.D., April 18, 1935, no. 917, *G. U.*, June 19, 1935, no. 143, this does not constitute forced labor, since (1) compensation is forthcoming and (2) the work is done in the public interest, under charge of the *public* authorities.

[14] L. Franchetti, *Sulla colonizzazione agricola dell'altipiano etiopico* (Rome, 1890). Franchetti actually landed the first Italian colonizing mission in East Africa at Massaua in 1890; later he reported upon the colonization possibilities of Tripolitania.

fact for the exaggerated claims frequently advanced.[15] On May 13, all persons having plans for the development of Ethiopia were invited to present them to the Colonial Ministry. These were, in turn, referred to newly established advisory councils—for industry, agriculture, commerce, and transportation. Accompanying this activity in Rome, the viceroy in Addis Ababa appointed a Commission for Economic and Financial Reconstruction on June 15, bringing together representatives of the public and technical services. Hence, all of the mechanism necessary to promote a successful colonization venture has been created, and the Fascist government has expressed its willingness to devote decades to the problem.

III

Italy's Red Sea possessions were unified in 1890 as the colony of Eritrea; those on the Indian Ocean became the colony of Somalia in 1908. Thereafter, until 1933, the two separate colonies were governed under systems especially devised for each.[16]

The final unification of all of the East African territories of Italy in 1936 was the result of a gradual evolution dating from 1928. (1) Several institutions of colonial government were reorganized, on the same basis, for both Eritrea and Somalia, beginning with the royal decree of June 28, 1928,[17] which gave each colony an administrative committee of exactly the same type and with the same powers. Some subsequent regulations were issued jointly for effect in the two colonies. (2) The law of July 6, 1933,[18] prepared by a special ministerial commission which worked on the project

[15] Despite the absence of information, Italian newspapers in general stirred the Italian imagination with lurid accounts of the resources of Ethiopia. Typical was the *Popolo d'Italia* which, under an eight-column head: "The Vast Mineral Possibilities of the Ethiopian Subsoil," May 28, 1936, prefaced its imaginary description with a statement that nothing was known about them. Reports from the present surveys will probably not be available before 1937.

[16] Ministero delle Colonie, *Manuale di legislazione della Colonia Eritrea* (8 vol., Rome, 1914, 1915), and C. Rossetti, *Manuale di legislazione della Somalia Italiana* (3 vol., Rome, 1912–1914), are collections of the early legislation issued for and in the two colonies. A compilation of legislation in force, July, 1931, is: A. Parpagliolo, *Raccolta dei principali ordinamenti legislativi delle colonie italiane*, Vol. II; *Provvedimenti riguardanti le colonie dell'Africa orientale* (Rome, 1932).

[17] No. 1646, *Bollettino ufficiale Ministero delle Colonie*, 1928, p. 394.

[18] No. 999, *G. U.*, August 16, 1933, no. 189, in force from April 1, 1934, R.D. February 26, 1934, no. 323; *G. U.*, March 10, 1934, no. 59.

from 1929 until 1933,[19] completely revised the system of colonial government in Italian East Africa. While the two colonies retained their autonomous positions, under separate governors, their respective frameworks of government were made substantially identical. (3) The first actual unification took place, in temporary form, under the royal decree-law of January 17, 1935,[20] which created a high commissioner to unify the political and military policies of Eritrea and Somalia. The Quadrumvir General Emilio De Bono was deposed from his position as minister for the colonies and sent to Asmara as the first high commissioner; he was replaced in this office, which was identical with the Supreme Military Command, by Marshal Badoglio on November 27, 1935. The high commissioner, under the arrangement, assumed the position of the governor of Eritrea, but with power to issue instructions to the governor of Somalia. On the basis of this preliminary arrangement, conceived with a view to the successful conduct of the intended hostilities against Ethiopia, it was easy to presage the unification of all of the territories in East Africa into a single possession, once the physical barrier which separated them (Ethiopia) became Italian. (4) By the royal decree-law which was issued and took effect on June 1, 1936,[21] the transition was completed and the unity of the Italian possessions in East Africa became a reality.

For the administration of the Italian East African colonies, there was, for many years, an Office for East African Affairs within the Colonial Ministry. The conception of unity, first developed administratively within the Colonial Ministry, became a practical realization in the political and military spheres with the appointment of the high commissioner, who was generally described as the high commissioner for Italian East Africa (although the originating decree-law referred to him as high commissioner for Eritrea and Somalia); June 1, 1936, marks the date of the ultimate development. Today, in consequence, there no longer exist separate colonies of Eritrea and Somalia, and Ethiopia, as a separate entity

[19] C. Schanzer, "La carta fondamentale delle colonie dell'Africa Orientale," in T. Sillani (ed.), *L'Affrica Orientale Italiana* (Rome, 1934), pp. 128–145; A. Parpagliolo, "La nuova legge organica per l'Eritrea e la Somalia Italiana," *Rivista delle colonie italiane*, VIII (May, 1934), 349-361. The writers of these surveys were the principal authors of the law.

[20] No. 42, *G. U.*, February 12, 1935, no. 36. The temporary post was abolished with the creation of Italian East Africa on June 1, 1936.

[21] Cited above.

possessing political or legal personality, has also been destroyed. The new regulation declares: "The territories of the Empire of Ethiopia, of Eritrea, and of Somalia constitute Italian East Africa (*Africa Orientale Italiana*);"[22] and it makes provision for its government as a single colony, embracing in one organization all Italian possessions in that region.

The royal decree-law of May 9, 1936, extending Italian sovereignty over Ethiopia, created the office of governor-general, upon whom the governors of Eritrea and Somalia were made to depend. In the final form, a single, centralized government is set up in Addis Ababa, with authority in the hands of the governor-general of Italian East Africa, who also bears the title viceroy of Ethiopia.[23] The entire region is subdivided into five "governments" (*governi*) and an autonomous *governatorato* of Addis Ababa, each with a governor and its own juridical personality and administrative autonomy. The five new *governi* are not so many separate colonies, in the old sense, and their governors look to the governor-general at Addis Ababa for directions with respect to (1) internal and administrative policy, (2) the maintenance of security and public order, and (3) the functioning of the public offices and services.[24] The instructions from the Colonial Ministry are sent to the governors through the channel of the governor-general, but the governors are permitted to communicate directly with the ministry in respect of the "ordinary affairs" of government. Hence, if the *governi* are not separate colonies, they still enjoy a status and position above that of simple, dependent administrative areas. Since the authorities of government in Addis Ababa have *direct* administrative jurisdiction only over the *governatorato* at the capital, their chief function is to direct and to coördinate the work of the *governi*.

An attempt has been made to draw the boundaries of the five *governi* in such a way that each will contain native peoples of essentially the same race and religion.[25] Of these races and religions, there are countless varieties, but the basic distinguishing

[22] *Ibid.*, art. 1. Subsequent citations to articles by number refer to the R.D.-L., June 1, 1936.

[23] The title "viceroy" appears to be honorary and without legal significance. Nevertheless, the governor-general of Italian East Africa is not classified in the personnel roll as is the governor-general of Libya.

[24] Arts. 12-13. [25] Arts. 2–4.

characteristics of the different groups have been classified by more ambitious anthropologists and are generally recognized.[26]

On this basis, the following *governi* have been created:

(1) *Governo* of Eritrea: capital, Asmara; first new governor, General Alfredo Guzzoni. This *governo* includes the former colony of Eritrea (area: 46,425 sq. mi.; population: 601,653),[27] to which are now added the Tigrai (northern Ethiopia) and the Aussa country, which embraces the Danakil desert. (Area: 85,328 sq. mi.; population: 1,000,000).[28]

(2) *Governo* of Amhara: capital, Gondar; first governor, General Alessandro Pirzio-Biroli. In this original home of the Ethiopian, which includes the Lake Tsana region and the valley of the Blue Nile, the former Ethiopian regions of Amhara, Goggiam, and Shoa lose their identities in the new *governo*. (Area: 86,100 sq. mi.; population: 2,000,000).

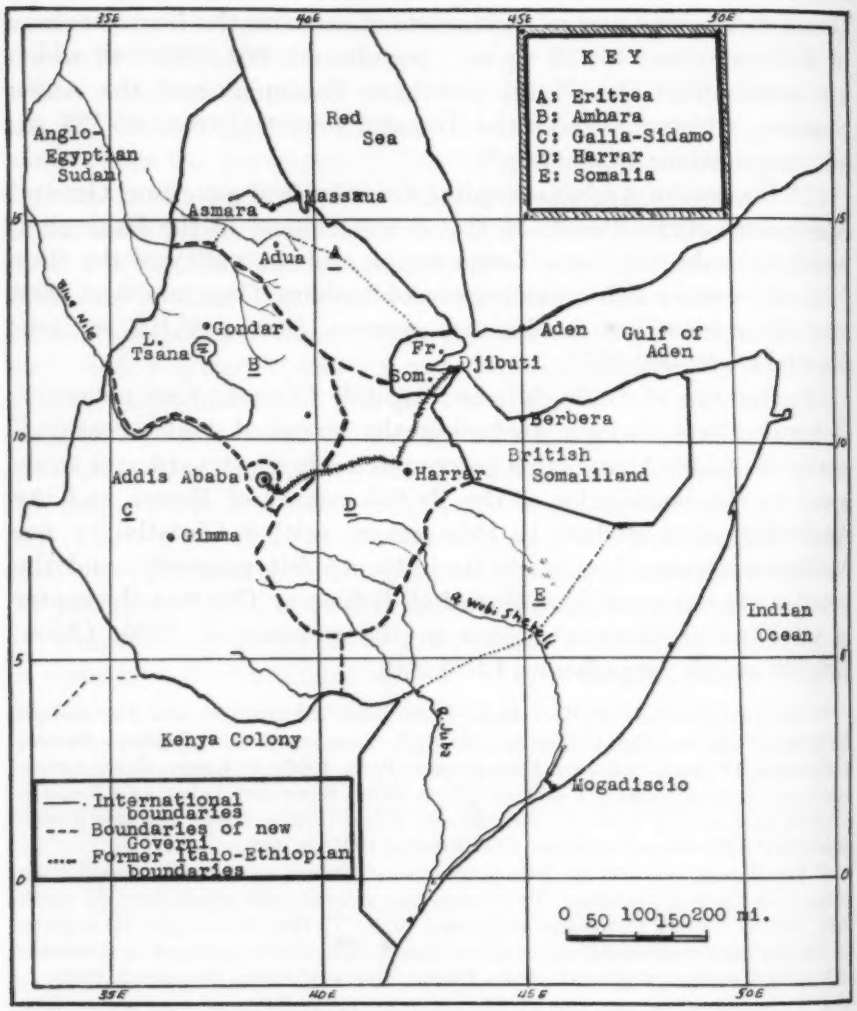
(3) *Governo* of Galla-Sidamo: capital, Gimma; first governor, General Carlo Geloso. Including the so-called "lake country" south of Addis Ababa, this *governo* extends southward and westward to the boundaries of the British colony of Kenya and the Anglo-Egyptian Sudan. In this region, neither Christianity nor Mohammedanism has made its influence felt generally, and the peoples are the most primitive of all Ethiopia. This was the center of anti-Italian demonstrations in the summer of 1936. (Area: 136,293 sq. mi.; population: 1,600,000).

[26] See, among others, P. Paulitische, *Beiträge zur Ethnographie und Antropologie der Somal, Galla und Harrar* (Leipzig, 1886); R. Verneau, *Mission Duchesne-Fournet en Éthiopie*, II: *Anthropologie et Ethnographie* (Paris, 1909); P. Lester, *Étude anthropologique des populations de l'Éthiopie* (Paris, 1928). Some useful charts are found in a recent propaganda work: C. Zoli, *Etiopia d'oggi* (Rome, 1935). See also a brief article in the *Enciclopedia italiana*, XIV (Rome, 1931), p. 486.

[27] Population data for the former colonies of Eritrea and Somalia based upon Istituto Centrale di Statistica, *VII Censimento generale della popolazione, 21 aprile 1931*, Vol. V: *Colonie e possedimenti* (Rome, 1935). To the official figure there given for Eritrea have been added the estimated population of 1,000 included in the sector of French Somalia ceded by the Italo-French Treaty of Rome, January 7, 1935.

[28] Estimates of the area and population of the former Ethiopia vary widely. The approximate areas and populations for the new *governi* here given are based upon semi-official estimates published in the *Popolo d'Italia*, June 20, 1936. There, a total of 659,574 sq. mi. and a population of 7,600,000 are claimed for Italian East Africa. Deducting the known areas and populations of the former Eritrea and Somalia, this produces an estimated area of 417,561 and population of 5,976,866 for former Ethiopia. This calculation possibly overestimates the area, but the population estimate is the lowest; 10,000,000 is customarily accepted elsewhere as a fair population approximation.

(4) *Governo* of Harrar: capital, Harrar; first governor, General Guglielmo Nasi. Included here are the Moslem peoples of south-central Ethiopia, in the regions of Harrar, Arussi, and Bale,—

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along the lower valley of the Awash. (Area: 77,992 sq. mi.; population: 1,400,000).

(5) *Governo* of Somalia: capital, Mogadiscio; first new governor, General Ruggero Santini. This embraces the former colony of

Somalia (area: 195,588 sq. mi.; population: 1,021,572), to which are now added the peoples of Somalian origin in adjoining parts of former Ethiopia, including the Ogaden. (Area: 271,042 sq. mi.; population: 1,300,000).

(6) To these *governi* should be added the *governatorato* of Addis Ababa, the metropolitan region, with an area of 2,820 sq. mi. and a population of 300,000. First civil governor, Major Giuseppe Bottai.

In the two formerly separate colonies of Eritrea and Somalia, the new dispensation will occasion but few alterations. Ex-officio government councils at Asmara and Mogadiscio will function as in the past, and others, similarly organized, will be created in the three other *governi*. Establishment of tribunals in Addis Ababa, and the supervision of the administration of justice from that point, will require modifications in the present system of judicial administration, only recently revised.[29] Otherwise, the new *governi* of Eritrea and Somalia will differ, in their internal organization and governmental structure, but slightly from the former colonies of the same names; and, since the new *governi* are to be organized on identical lines, the regulations of 1936 inaugurate but few mechanical changes. The governor continues as the chief officer and representative in each *governo*, aided by a secretary-general for civil affairs and a commandant of troops for military affairs, and acting with the advice of an ex-officio council. No change will be necessitated in the system of local government, where the descending degrees of administrative importance are represented by regional commissariats, residencies, vice-residencies, and municipalities, each with their respective regional commissioners, residents, vice-residents, and *podestà*. If precedent is observed, each *governo* will be territorially subdivided into regional commissariats which will cover every inch of the region, and will thus accommodate the administration of government to the exigencies of the native peoples in the smaller regions. But the commissariats are not, in turn, completely subdivided into residencies and vice-residencies; the utilization of these administrative areas depends entirely upon local conditions. Municipalities are established in the capital of each *governo*, and in other urban areas with populations

[29] R.D., June 20, 1935, no. 1649; *G. U.*, September 19, 1935, no. 219 (for Eritrea); R.D., same date, no. 1648; *G. U.*, September 16, 1935, no. 216 (for Somalia). Despite the identical governments which were maintained in other respects under the law of 1933, the different compositions of the native peoples in the two colonies necessitated judicial systems differing in detail.

in excess of 10,000. All of the administrative officers in charge of these respective zones are appointed from the colonial career service. The precise details governing the number of administrative areas in each *governo*, the number of offices and sections in the central governments of each, and comparable questions in the government of Italian East Africa at Addis Ababa will be defined by a subsequent administrative regulation (*ordinamento politico-amministrativo*).

The governor-general at Addis Ababa and the other governors are appointed by royal decree upon nomination by the Minister for the Colonies who, since June 9, 1936, has been Alessandro Lessona.[30] The vice-governor-general and the chief of staff at Addis Ababa are similarly designated. Otherwise, the administrative personnel will be drawn, as in the past, from the permanent career personnel in the colonial service. On June 2, 1936, a royal decree-law was prepared in order to bring about a suitable expansion of the personnel rolls.[31] From what has been said above, it will be noted that the important key positions have been filled with military officers. This is in keeping with a venerable Italian tradition. Only in extraordinary circumstances, in the past, have governors been chosen from the ranks of the professional career men, although occasionally the governors have been non-military personalities.

The highest permanent career official in Italian East Africa is the vice-governor-general, whose counterpart, the secretary-general, is the highest permanent career official within each of the *governi*. These officers are responsible for the operation of the civil

[30] Lessona served as under-secretary of state for the colonies between 1929 and 1936 and, in 1935–1936, when Mussolini was nominally the colonial minister, he conducted the affairs of the ministry. See his *Scritti e discorsi coloniali* (Milan, 1935) for useful explanations of Italian colonial policy.

[31] The basic personnel system, prescribed for all ministries by R.D., November 11, 1923, no. 2395, *G. U.*, November 17, 1923, no. 270, and R.D., December 30, 1923, no. 2960, *G. U.*, January 21, 1924, no. 17, was especially adapted to the Colonial Ministry by the R.D.-L., February 26, 1928, no. 355, *G. U.*, March 9, 1928, no. 58, as later modified in 1933 and 1934. The R.D.-L. of June 2, 1936, no. 1020, *G. U.*, June 13, 1936, no. 136, merely enlarged the permanent colonial staff as follows:

Group A (Political-administrative), from 210 to 350 posts,
Group B (Auxiliary personnel), from 123 to 250 posts,
Group C (Orderly service), from 277 to 400 posts.

Subsequent decrees will distribute the posts, by categories, to specific positions in East African service.

affairs of government within the areas of their jurisdiction, and are the official substitutes for the governor-general or for the governors in their absence. Chosen from the very highest grades in the permanent service, they direct and supervise all of the other members of the career service within their regions. Incidentally, the permanent administrative personnel in the Italian colonial system has shown great improvement in ability and efficiency in the past decade. These men are chosen by competitive examination from the laureates of the royal universities, and are given special instruction in native languages, law, and institutions.

Two advisory bodies are set up in Addis Ababa to assist the governor-general. First, and in practice the more important, is the General Council, an ex-officio body which embraces within its membership the leading dignitaries of Italian East Africa. There are approximately thirty members, including the five governors of the *governi*, the highest military and judicial authorities of the central government, the federal secretary (at Addis Ababa) of the Fascist party, the chief officers of the government departments (of which four or five will probably be created) and of the technical services (of which nine or ten will be established).[32] The basic decree-law lists six categories of subjects (including finance) upon which the governor-general must hear the views of the General Council, in addition to his discretionary power to hear it upon other questions.[33] But since the General Council is not a legislative chamber and the governor-general must assume full responsibility for the regulations which he issues, he is permitted to waive the requirement of consultation in cases of urgency, or when he otherwise feels justified. Government councils on a similar pattern are organized in each of the *governi* to play a like rôle in relation to the local governor.[34] Full details governing organization and procedure of all of the councils remain to be defined by special regulations, now in course of preparation.

In recent years, there has been a decided tendency to eliminate native leaders from participation in the governmental affairs of the Italian colonies.[35] Significant, then, as a reversal of policy, is the

[32] Art. 22. [33] Art. 23.

[34] Art. 25. These are practically identical with the "government councils" which functioned in Eritrea and Somalia before 1936.

[35] This tendency is reflected in the law of 1933 for Eritrea and Somalia, cited, and in the R.D.-L. of December 3, 1934, no. 2012, *G. U.*, December 21, 1934, no. 299, establishing the unified government in Libya.

establishment in Addis Ababa of a *Consulta*, with a membership of approximately sixty. The members of the General Council are members of the *Consulta*, as are also certain other officials (the five secretaries-general, the five commandants of the troops, and the five federal secretaries of the Fascist party), but the distinguishing feature of the *Consulta* is the inclusion in its membership of twelve lay persons, of whom six are appointed from the Italian citizens resident in Italian East Africa and six from the leading native personalities. The latter categories are appointed for a two-year term by the governor-general. In the appointment of the lay Italian members, it is interesting to observe that the influence of the corporative principle has made itself felt in the requirement that the appointments should include representation from the "categories of production and labor."[36] The *Consulta* has neither legislative nor deliberative functions, and exists merely that the governor-general may receive advice on large questions of policy. He presents to the *Consulta*, which holds at least one meeting annually, the "programs of an economic and cultural character which particularly concern the subjects of Italian East Africa, regulations relating to the social and ethnical structure of the peoples of Italian East Africa and their traditions,"[37] in addition to other measures upon which he may deem consultation opportune. Past experience with native representation on similar bodies elsewhere in the Italian Empire has not been happy, owing to the resentment of the natives (particularly in Libya), to the Fascist rejection, in principle, of the theory of representation, and to the impatience of military officers assigned to act as colonial governors. In the present instance, however, the creation of the *Consulta* reflects not only a change in policy, but a definite attempt to win native allegiance by making the concession.

IV

In all Italian colonies, the administration of justice is characterized by a duality, both of legal systems and judicial tribunals. The law which applies to particular controversies is governed by the quality of the participants and by their race, religion, or citizenship. The tribunals likewise differ according to the character of the litigants.[38] Historic distinctions will be maintained in Italian East

[36] Art. 24. [37] *Idem.*

[38] For Eritrea and Somalia, judicial ordinances of 1935, cited; for Libya, R.D., October 25, 1928, no. 3497, *G. U.*, April 9, 1929, no. 83, as modified by R.D., June 27, 1935, no. 2167, *G. U.*, December 30, 1935, no. 303.

Africa, the decree-law of June 1, 1936, defining the general principles applicable, though details have still to be supplied by judicial ordinance (*ordinamento giudiziario*). The basic codes of the kingdom have been extended to Italian East Africa,[39] to be observed "in so far as local conditions permit," and with the appropriate special modifications decreed by the colonial minister or by the governor-general. All of the basic codes apply automatically to Italian residents, and the penal provisions apply to natives. For the latter, however, the decree-law specifies that in cases involving natives there is to be applied "the particular law of their religion, region, or tribe."[40] Elsewhere, however, the regulation stipulates that "respect for local traditions is guaranteed, except when these are in conflict with public order and the general principles of civilization,"[41] thus denying legal support to the institution of slavery and the law based thereon and eliminating some of the more peculiar and barbaric penalties tantamount to mayhem which native peoples in Ethiopia have been accustomed to impose upon their criminals. The effect of these qualifications is to mean that natives are subject to Italian penal law, but that they may also be held to account for crimes against the native law and traditions. When, in consequence, natives are before Italian judges in penal cases, the judge is permitted to impose less than the minimum penalty prescribed by the laws or codes. Normally, in civil cases relating to property and succession, to commercial transactions, and to family and religious questions, the law applicable to natives is their own. Since much of the native law is associated with religion and religious practices, there is special significance in the "absolute guarantees with respect to the religions" of which the decree-law speaks. The religious institutions of the monophysite Christians are to be regulated by special laws and by agreements reached with the religious authorities who recognize the hierarchical supremacy of the authorities at Alexandria. In the case of Moslems, controversies are to be settled on the basis of "the Islamic law and the local customs of the Moslem populations."[42]

In other respects, the ultimate legislative authority is reserved to the Italian Parliament, but additional rules may be made by

[39] Art. 53. The codes are the following: Civil, Civil Procedure, Commercial, Penal and Penal Procedure; the military codes for the army and navy; and the Mercantile Marine Code of Libya. The same codes are in force in Libya, and were also formerly effective in Eritrea and Somalia.

[40] Art. 50. [41] Art. 31. [42] *Idem.*

the colonial minister and, by delegation from him, by the governor-general and the governors. As a transitional measure, the laws and decrees formerly issued for and in force in Eritrea are automatically applicable, in so far as that is feasible, in the new *governo* of Amhara and in the *governatorato* of Addis Ababa; those formerly issued for Somalia are given effect in Galla-Sidamo and in Harrar. Thus, the whole system of administrative and political regulations issued by the former Ethiopian government is abolished, and, in the transition from the old legal order to the new, there has been no period of legislative anarchy.

With the administration of native justice, the Italians have had an abundance of experience, in most instances satisfactory. The problem has not been a simple one in Eritrea and Somalia, and will present even greater difficulties in Ethiopia, where religious practices and local customs are still more diverse. The professional judges, as well as all members of the career administrative service, are required to have a thorough knowledge of native legal institutions. On the basis of the past record, it is reasonable to expect that an acceptable solution of the most difficult of all problems of colonial government will be found in Ethiopia as well.[43]

When the litigants adhere to native societies of the local Christian faith, the normal channel of judicial settlement is the local chieftain, applying the law of the religion.[44] A complete judicial system for Christians will be devised in agreement with the church authorities, and will provide more precisely for the organization and jurisdiction of local tribunals and for courts of appeal in Addis Ababa.

But compared with the problem presented by the administration of justice for Moslems, the system for the Copts is simplicity itself. In Italian East Africa, two of the four Moslem legal systems have been established. The Moslem natives of Eritrea and the Tigrai (northern Ethiopia), supposed to have emigrated but recently from the Arabian peninsula, adhere to the Hanifītic rites.[45]

[43] On the problem in general, the best work is R. Sertoli Salis, *La giustizia indigena nelle colonie* (Padua, 1931).

[44] I. Guidi, *Il Fetha Nagast o "Legislazione dei Re"* (3 vols., Rome, 1897–1899), is the finest edition and translation of the civil and ecclesiastical laws of Ethiopia, and has steadily been applied by the tribunals of Eritrea in cases involving native Christians recognizing the authority of the Abuna.

[45] On the Moslem schools of jurisprudence, in general, see T. W. Juynboll, *Handbuch des islamischen Gesetzes* (Leyden, 1910); E. Clavel, *Droit musulman* . . .

In Somalia and in southern Ethiopia (now, in part, Harrar), the Shafītīc rites prevail.[46] In Libya, incidentally, is represented the third school, the Malekīte.[47] But among Moslem peoples, a large number of special and localized customs and traditions affect the application of the jurisprudence of the major schools. Wherever Moslem rites prevail, the chief judicial officer is the native *cadi*,[48] and that officer will continue to administer Moslem law in Ethiopia. Italians, with wide experience, have shown commendable willingness to study scientifically the institutions of native, and particularly Moslem, law; there is an enormous bibliography of the subject in Italian. If precedent is observed, as it doubtless will be, the *cadi*, operating on a local basis, will be courts of first instance in cases involving Moslems, with appeal to the Sharistic tribunals in the capitals of the *governi* and in Addis Ababa.

Provision will be made also for the appointment of native assessors to assist Italian courts in applying Italian and native law when natives are before them. In such cases, the assessors advise the tribunal upon the circumstances which the local practice generally recognizes as mitigating and advise the court upon other technical aspects of the native law.

It is with a view to the native legal systems that the decree of June 1, 1936, partitions judicial authority among three types of tribunals: (1) the ordinary magistrates and military authorities; (2) the political-administrative functionaries; and (3) the *cadi* and the local chieftains.

## V

In conclusion, it may be said that the system of government established in Italian East Africa does not differ in any marked respect from the form of government prevailing in Libya and in Eritrea and Somalia. The emergence of a quasi-federal principle

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*d'après les différents rites et plus particulièrement d'après le rite hanefite* (2 vols., Paris, 1895). For the Hanefīte law with special reference to Eritrea, see I. Capomazza, *Usanze islamiche hanefite di Massaua e ditorni* (Macerata, 1910).

[46] T. W. Juynboll, *Manuale di diritto musulmano secondo la dottrina della scuola sciafeita* (Milan, 1916).

[47] I. Guidi and D. Santillana, *Il "Muhtasar" o sommario di diritto malechita* (2 vols., Milan, 1914), gives the basic text; Santillana, *Istituzione di diritto musulmano malekita* (Rome, 1926), supplies an authentic commentary.

[48] One of the best descriptions of the *cadi* is in G. Gabrielli, "Il *cadi* o giudice musulmano," *Rivista coloniale*, VIII (August 15, August 30, 1913), pp. 61–67; 89–98.

in defining the relationship between the five *governi* and the central government has interest, but has little influence upon questions of internal structure and organization. Especially worthy of note, however, are the provisions which have been made to define and safeguard the rights of the natives and to promote their collaboration in government affairs: (1) by admitting a native representation, even if small and without actual power, into the *Consulta*, and to that extent reversing a recent tendency in Italian colonial administration; (2) by adapting native legal and judicial systems to the new order, retaining most of the principles of native law; (3) by requiring that official texts of governmental instruments be published in the native languages which prevail in the separate *governi* and that instruction be given in the appropriate popular language;[49] and (4) by establishing special safeguards for native religions. No matter how reprehensible the Italian conquest of Ethiopia may have been, a step in the right direction has been taken in the organization of the governmental and administrative system.

[49] Art. 32. No comparable guarantee has been afforded Amharic, which, however, is not a vulgar language.

# THE JAPANESE CABINET[1]

KENNETH COLEGROVE
*Northwestern University*

No mention of the cabinet is made in the Japanese constitution of 1889. Nevertheless, both before and after the proclamation of the fundamental law, a large part of the national administration of Japan has been initiated, directed, and supervised in a collective method by a body of officials which resembles in external characteristics the typical European parliamentary cabinet.

This cabinet has never enjoyed the unrivaled direction of administration as found in many parliamentary systems. First of all, the Emperor combines in himself all the rights of sovereignty and exercises these rights through various organs including not only the cabinet, but also the army and navy and the Imperial Household. The cabinet does not have a monopoly upon advice given to the Emperor. The right to advise is shared with the Genro (Elder Statesman), the officers of the Imperial Household, the Privy Council, and the advisers of the "supreme command," including the chiefs of staff of the army and navy, the Board of Marshals and Fleet Admirals, and the Supreme War Council. The Privy Council is the special guardian of the constitution, consulted by the Emperor upon the propriety and wisdom of projects of law, ordinances, and treaties drafted or negotiated by the cabinet, and its advice may, and often does, run counter to that of the cabinet. The high officials of the Imperial Household form a close circle surrounding the Throne and controlling all access to the Emperor. Finally, the mysterious "supreme command"—the absolute direction of the military forces appertaining without constitutional restriction to the Emperor—receives advice from high ranking generals and admirals who in this respect are independent of the cabinet. The executive power in Japan reflects a variegated pattern, and no account of the cabinet should overlook its complicated design.

## THE CONSTITUTIONAL POSITION OF THE CABINET

While the constitution ignores the cabinet, it does provide for ministers of state. Article LV declares: "The respective ministers of state shall give their advice to the Emperor and be responsible

[1] The author acknowledges assistance derived from a grant-in-aid from the Social Science Research Council, New York City.

for it. All laws, imperial ordinances, and imperial rescripts of whatever kind, that relate to the affairs of the state, require the countersignature of a minister of state." At the same time, Article LXXVI, providing that existing laws and ordinances which do not conflict with the constitution shall remain in force, gives constitutional countenance to the cabinet which had been established four years before the constitution was promulgated.

It was in 1881 that Prince Hirobumi Ito received the command of Emperor Meiji to undertake the drafting of a constitution.[2] But before the text of this organic law was completed, parts of the promised constitutional régime were set up by imperial ordinance. In 1885, Prince Ito was ready to abolish the old council of state, and in its place to institute the modern Naikaku, or cabinet, consisting of a Naikaku Sori Daijin, or minister president, and nine other ministers, each presiding over a department.[3] Four years later, on the eve of the promulgation of the constitution, the Privy Council was created.

In 1889, after the proclamation of the constitution, an imperial rescript recognized the existence of the cabinet and in reference to the prime minister declared: "The minister president of state stands at the head of the ministers of state, reports affairs of state to the sovereign and, in compliance with imperial instructions, has general control over the various branches of administration."[4] To the deliberation of the cabinet were assigned eight subjects, namely: (1) drafts of law, financial estimates, and accounts; (2) treaties and diplomatic relations with foreign states; (3) administrative ordinances and regulations for the execution of laws; (4) disputes over the competence of departments; (5) petitions from the people, referred to the cabinet by the Throne or by the Diet;

[2] Compare the *Ito Ko Zenshu*, or "Complete Writings of Prince Ito" (ed. by Midori Komatsu, Tokyo, 1928), Vol. III, p. 84.

[3] See the Imperial Proclamation No. 69, December 22, 1885. *Horei Zensho*, or "Collection of Laws," 1885 (Tokyo, 1886), p. 1044. For an English translation, see W. W. McLaren, *Japanese Government Documents*, in the *Transactions of the Asiatic Society of Japan* (Tokyo, 1914), Vol. XLII, pt. i, pp. 94–95. For an account of the creation of the cabinet system, see Count Kentaro Kaneko, "Reminiscences of the Time of the Initiation of the Cabinet System," in the *Chuo Koron* ("Central Review"), Feb., 1936, no. 579, pp. 115–122.

[4] The *Naikaku Kansei*, or "Imperial Ordinance Regarding the Organization of the Cabinet," No. 125, December 24, 1889, is found in the *Genko Horei Shuran*, or "Compilation of Laws and Ordinances in Force" (Tokyo, 1907), Vol. I, bk. i, pt. iii, pp. 1–2. For an English translation, see McLaren, *Japanese Government Documents*, pp. 232–233.

(6) expenditures apart from the budget; (7) appointment, promotion, and removal of all officials of *chokunin* rank and of governors; and (8) in addition, any matter concerning the administration of any department. As a matter of practice, this list has never limited the matters considered by the cabinet. Any question, on the initiative of the prime minister or of any minister, can be taken under view by this body.[5]

## THE DEPARTMENTS

Nine departments were represented in the cabinet as constituted in 1885. These were: the foreign office (Gaimusho), the home office (Naimusho), the finance department (Okurasho), the war office (Rikugunsho), the navy (Kaigunsho), the department of justice (Shihosho), the education department (Mombusho), the ministry of agriculture and commerce (Noshomusho), and the department of communications (Teishinsho). In 1896, the department of colonies (Takushokumusho) was created, only to be abolished in the following year. In 1920, the department of railways (Tetsudosho) was set up; while in 1925 the department of agriculture and commerce gave place to the department of agriculture and forestry (Norinsho) and the department of commerce and industry (Shokosho). The department of overseas affairs (Takumusho), created in 1929, is the youngest of the departments. Today, the cabinet consists of a prime minister and twelve departmental ministers.

The departments are uniformly organized in accordance with the *Kakusho Kansei Tsusoku*, or Ordinance Regarding the Organization of the Departments, issued in 1893 and amended from time to time.[6] Following the general rules of the *Kakusho Kansei Tsusoku*, a separate imperial ordinance serves as the organic law of each department.[7] Each department is headed by the Kokumu Daijin, or minister of state, who has the exalted rank of the *shinnin* grade (direct appointment by the Emperor, with the

[5] Compare Tatsukichi Minobe, *Kempo Satsuyo*, or "Principles of the Constitution" (Tokyo, 1932), pp. 294-295; Cho Shimizu, *Kempo Hen*, or "Principles of Constitutional Law" (Tokyo, 1923), pp. 735–736.

[6] Originally proclaimed as Imperial Ordinance No. 122, October 31, 1893. As subsequently revised, see *Genko Horei Shuran* (1931), Vol. I, bk. iii, pp. 1–12.

[7] For instance, the imperial ordinance for the organization of the foreign office is known as the *Gaimusho Kansei*, issued as Imperial Ordinance No. 258 of 1898. *Genko Horei Shuran* (1931), Vol. I, bk. iii, pp. 38–39. The text is also published in the *Gaimusho Nenkan*, or "Yearbook of the Ministry of Foreign Affairs" (1933), pp. 14–34.

privilege of attending the Emperor when he worships before the shrines on the thirteen great and eight small festivals of each year). Each department also has a Seimu-Jikan (parliamentary vice-minister), a Jikan (permanent vice-minister), and a Sanyo-Kan (parliamentary counselor), all of whom have *chokunin* rank (appointment by the Emperor through the chief of the department). The first and third of these officers are political appointees, the second is a civil servant. The departmental functions are distributed among several *kyoku* or bureaux and *bu* or special sections, each headed by a *cho* or director who has *chokunin* rank. A special secretariat (*daijin-kambo*) exists for the minister.

Outside the cabinet, but under its supervision, there are four cabinet bureaus, namely, the Cabinet Secretariat (Naikaku Kwambo), the Pension Bureau (Onkyu Kyoku), the Statistics Bureau (Tokei Kyoku), and the Printing Office (Insatsu Kyoku). Then there are four other bureaus which are under the direction solely of the prime minister The Legislative Bureau (Hosei Kyoku) drafts all projects of law which are to be submitted to the Diet and all ordinances promulgated by the Emperor and by the ministers.[8] In the discharge of his duties, the chief of the Legislative Bureau has the right to present his views to the cabinet. The Decorations Bureau (Shokun Kyoku) has charge of the conferring of the Order of Merit and the decorations and pensions appertaining to it. The Resources Bureau (Shigen Kyoku) studies and reports upon plans to preserve and develop all resources, both human and material. Finally, the Bureau for Manchurian Affairs (Taiman Jimu Kyoku) supervises the administration of the Kwantung Leased Territory, acting through the Kwanto Kyoku (Bureau of Kwantung Province) in the Japanese embassy in Hsinking.[9] It supervises all Japanese advisers to the Manchoukuo government and directs the management of the South Manchuria Railway and the Manchuria Telegraph and Telephone Company.

The Kunaisho, or imperial household department, has never been a part of the cabinet or in any way subordinate to the cabinet.[10] It consists of several exalted officers, including the

[8] See the *Genko Horei Shuran* (1931), Vol. I, bk. iii, pp. 10–12.

[9] The *Taiman Jimu Kyoku* was created by the Imperial Ordinance No. 347, December 26, 1934. *Kwampo gogai*, or "Imperial Gazette" (extra), December 26, 1934, p. 1.

[10] See the Imperial Ordinance Regarding the Imperial Household Department. *Genko Horei Shuran* (1931), Vol. I, bk. iii. pp. 15–34.

Kunai Daijin, or imperial household minister, the Nai Daijin, or lord keeper of the privy seal, and the Jiju Cho, or lord chamberlain. The Nai Daijin is usually regarded as the senior officer in the group.[11] As to their appointment, the Emperor consults both the Genro and the prime minister. The strategic importance of these officers is enormous. They constitute a charmed circle surrounding the Emperor and controlling all access to his person as well as serving as his closest advisers.

### FORMATION OF THE CABINET

The formation of the cabinet is accomplished by means of a unique and extra-legal procedure. Upon the fall of a ministry, it is customary for the Emperor to ask the Nai Daijin, or lord keeper of the privy seal, for advice upon the selection of a prime minister. Invariably, the Nai Daijin proposes that the Genro be consulted, and invariably the Emperor follows the advice of the Genro.[12] This practice probably began in 1892 with the fall of the Matsugata ministry. At any rate, on the latter occasion Emperor Meiji summoned as advisers Ito, Kuroda, Inouye, Yamagata, Yamada, and Oyama.[13] At subsequent crises, Matsugata and Tsugumichi Saigo were included, and still later, both Katsura and Saionji. This group, called the Genro, or Elder Statesmen, became an informal and extra-constitutional body of advisers, highly trusted by Emperor Meiji and occasionally summoned in conference. One by one, death claimed these illustrious statesmen, until in 1924, with the demise of Prince Matsugata, Prince Saionji remained the sole

[11] See the *Nai Daijin-Fu Kwansei*, or "Imperial Ordinance Regarding the Organization of the Office of Lord Keeper of the Privy Seal," No. 4, November 1, 1907. *Genko Horei Shuran* (1931), Vol. I, bk. iii, pt. i, p. 20. Compare Eiichi Baba, *Kempo Seiji no Riron to Jissai*, or "Principles and Practices of Constitutional Government" (Tokyo, 1926), p. 269.

[12] Compare Shikazo Yamada, "Formation of the Japanese Cabinet as Told by Press Reports," in the *Kokka Gakkai Zasshi*, or "Journal of the Association of Political and Social Science" (April and May, 1924), Vol. XXXVIII, pp. 24–68, 95–140.

[13] See *Yamagata Aritomo Ko Den*, or "Life of Prince Aritomo Yamagata" (ed. by Soho Takutomi, Tokyo, 1933), Vol. III, pp. 38–43; Takeshige Kudo, *Teikoku Gikai Shi*, or "History of the Imperial Diet" (Tokyo, 1901–1908), Vol. I, p. 181; and his *Meiji Kensei Shi*, or "Constitutional History of the Meiji Era" (Tokyo, 1914–1922), Vol. I, pp. 359, 390. On several occasions, the outgoing prime minister has suggested his successor to the Genro. In 1898, Prince Ito recommended Marquis Okuma, and in 1916 Okuma named Count Taka-akira Kato. In the first instance the Genro followed the advice of Ito, but in the second instance it rejected the recommendation of Okuma. Compare *Kato Taka-akira*, or "Life of Count Taka-akira Kato" (ed. by Seitoku Ito, Tokyo, 1929), Vol. II, pp. 59–61.

survivor.[14] No additions have been made to the Genro, and thus for the past dozen years it has been Prince Saionji who in each ministerial crisis has selected the prime minister.

Prince Saionji, named by Emperor Taisho in 1912 as a Genro, is a scion of the oldest nobility, educated in Paris, the close friend of Prince Ito, at one time leader of Ito's party (the Seiyukai), and twice prime minister. Today he is a very old man, at least eighty-seven years of age. He has long since retired from his Tokyo house and resides in a villa in Okitsu. On the occasion of a ministerial crisis, the aged Genro travels by special train to Tokyo and proceeds to the Imperial Palace for an audience with the Emperor. After recommending the choice of prime minister, Prince Saionji remains in Tokyo until the new head of the government succeeds in forming a cabinet. His recommendation to the Emperor is not an arbitrary choice, for he consults, sometimes singly and sometimes in a conference, certain statesmen, including the Nai Daijin, the president of the Privy Council, and former prime ministers.[15] Indeed, the newspapers are beginning to institutionalize these advisers, referring to them as the *Jiushin* (important statesmen) and to the conferences as the Genro-Jiushin conferences.

The influence of Prince Saionji upon the trend of Japanese political development is extensive. Unlike Prince Yamagata, who dominated the Genro for a decade after the death of Ito, Prince Saionji has preferred party government to super-party government and has named a party leader as premier whenever there appeared to be likelihood that such an appointee would succeed in maintaining a cabinet. It was due to his insistence that Hara, the first commoner to become premier, received this appointment in 1918. Before Prince Saionji was left the sole Genro, there were eight party cabinets in a series of twenty-two ministries; since 1924, there have been seven party cabinets in a series of eleven ministries.[16]

[14] Count Okuma died on January 10, 1922, Prince Yamagata on February 1, 1922, and Prince Matsugata on July 2, 1924. Regarding the designation of Prince Saionji as Genro, see Yosaburo Takekoshi, *Toan-Ko*, or "Prince Toan" (Kyoto, 1929), pp. 249–250.

[15] Compare an article on "Politics" by Tsunego Baba in the *Chuo Koron Nempo* (Annual Supplement of the "Central Review"), 1935, pp. 112–113.

[16] The party cabinets in 1924–36 include: Taka-akira Kato (first, 1924); Taka-akira Kato (second, 1925); Wakatsuki (1926); Tanaka (1927); Hamaguchi (1929); Wakatsuki (second, 1931); and Inukai (1932). There has been one super-party cabinet, Kiyoura (1924); and three coalition-bureaucratic cabinets, namely, Saito (1932); Okada (1934); and Hirota (1936).

The prime minister, on his appointment, receives a command from the Emperor to form a cabinet. If he is a party leader, he will have, of course, no lack of advice on this subject from his own colleagues. In any case, even if he is forming a super-party cabinet, he is constrained to reach an "understanding" with one or more parties in the House of Peers as well as in the House of Representatives. Finally, he must consult the army and navy, inasmuch as only high-ranking army and naval officers, and not civilians, may be appointed to head the departments of war and the navy.

### THE RESPONSIBILITY OF MINISTERS OF STATE

Long before Prince Ito received the imperial command to draft a constitution for Japan, the principle of ministerial responsibility as developed in the British parliamentary system had won the admiration of statesmen and scholars. The formula of legal responsibility—the requirement that all acts of the crown must bear the countersignature of a minister—had been a common feature of European constitutions. The principle of political responsibility that permits ministers to hold office only in case they enjoy the confidence of the legislature was written into the constitutional laws of Belgium (1831), Portugal (1852), and France (1875), although not generally found in the constitutions of the German states. Finally, the principle of collective ministerial responsibility practiced in England throughout the nineteenth century had been partially adopted in various parliamentary régimes.

The Mother of Parliaments had been warmly extolled by Japanese progressives from the earliest days of the Restoration, and Prince Ito and his colleagues did not fail to explore the advantages of emulating its virtues in Japan.[17] But that was as far as the arch compromiser advanced. Although he entertained admiration for the Prussian constitution, he surrendered neither to the reactionaries who demanded the preservation of feudal institutions nor to the young radicals who clamored for a genuine parliamentary

[17] For the demands of the progressives, see Shigenobu Okuma's address to the Throne in March, 1881, concerning the fundamental principles of a modern constitution. *Okuma-ko Hachiju-go Nen Shi*, or "History of the Eighty-Five Years of Marquis Okuma" (ed. by Kenkichi Ichijima, Tokyo, 1926), Vol. I, pp. 796–808. Compare Takeshi Osatake, *Nippon Kensei Shi*, or "Constititional History of Japan" (Tokyo, 1930), pp. 273–283.

government.[18] As a result, the relation of the ministers to the Emperor on the one hand and to the Diet on the other is so vaguely defined in the constitution as to permit of wide difference in both theory and practice.

The phraseology of Article LV suggests the possibility of political responsibility on the part of the ministers. Not a few jurists have interpreted the article in this fashion. On the other hand, whatever meaning of parliamentary responsibility Prince Ito may seem to give in the bare text of the constitution he takes back in his celebrated *Commentaries on the Constitution*. In this treatise, after commenting on the varied practice of European parliaments, the constitution-maker declared:

> If ministers of state were not responsible, the executive power could easily overstep the limits of law, which would thus become a mere collection of nominal enactments. The responsibility of ministers is, as it were, a pillar supporting the constitution and the law. It, however, has to do with the matters of state under their charge, and is not one involving criminal responsibility. When a minister of state errs in the discharge of his functions, the power of deciding upon his responsibility belongs to the Sovereign of the state. He alone can dismiss a minister who has appointed him. Who then is it, except the Sovereign, that can appoint, dismiss, and punish a minister of state? The appointment and dismissal of them having been included by the constitution in the sovereign power of the Emperor, it is only a legitimate consequence that the power of deciding as to the responsibility of ministers is withheld from the Diet.[19]

Ito hastened to add that the Diet may put questions to the ministers and demand public answers and may present addresses to the Sovereign, and he even said that in appointing ministers the "susceptibilities of the public mind must also be taken into consideration." But none of these statements was a make-weight to his deliberate declaration that "it is the Sovereign and not the people that can decide as to the responsibility of ministers."

### THE THEORY OF THE CONSERVATIVE SCHOOL ON MINISTERIAL RESPONSIBILITY

Two schools of jurists hold widely divergent views on the subject of ministerial responsibility. The difference in theory between

[18] Compare Takeshi Osatake, *Nippon Kensei Shi*, or "Constitutional History of Japan" (Tokyo, 1930), ch. xiv, pp. 337–346.

[19] *Teikoku Kempo Koshitsu Tempan Gikai*, or "Commentaries on the Constitution of the Empire of Japan" (Tokyo, 1889), p. 86. The English translation of these commentaries, as authorized by Prince Ito, is entitled *Commentaries on the Constitution of Japan by Count Hirobumi Ito* (trans. by Miyoji Ito, Tokyo, 1889). There are two other editions of this translation under dates of 1906 and 1931.

the old school and the new school of constitutional interpretation begins with their conflicting views on the status of the Emperor. The former holds that the *kokutai*, or fundamental nature of the Japanese state, requires the Emperor to be regarded as nothing less than the state. In his hands rests sovereignty. By the same token, the Emperor is not an organ of the state. The Diet, the ministers of state, and the courts, however, are constitutional organs created for the purpose of promoting the Emperor's rule of the country—organs that the Emperor may abolish by extinguishing the constitution. According to Professor Yatsuka Hozumi, the *sei-fu*, or the government, is a constitutional organ to assist the Emperor with the executive power (*taiken*), and is composed of ministers of state and of privy councillors.[20] Again, the Diet is an organ to assist the Emperor's rule; it has no independent will, but rather gives advice and consent to projects of law which become law only by the determination of the Emperor. The duties of a minister are twofold, namely, first, *hohitsu*, or assistance by advice to the Emperor, and second *fukusho*, or countersignature of acts and decrees. According to Hozumi:

> The primary function of the minister of state is to assist by advice the Emperor and to be held responsible for his advice. The requirement of countersignature of laws and ordinances is only the external expression of the rule that the operation of the executive power must be through the government. The minister of state has the duty to present his opinion, but he has no authority to resist the executive power in the hands of the Emperor. . . . The appointment and removal of ministers is in the hands of the Emperor, and much to be deplored is the custom of certain countries where the minister is answerable to the legislature. Such practice is repugnant to the Japanese constitution.[21]

In eloquent language, in the most flourishing classical style that defies literal translation into English, for two decades this renowned jurist delivered the following sentiments in the lecture halls of the Imperial University of Tokyo:

> The constitution of Japan does not require that a minister must have the confidence of the Imperial Diet. He holds his position entirely by the decision of the Emperor. The minister is directly and individually responsible to the Emperor alone, and not at all to the Diet. Ministerial responsibility of the British sort promotes an autocracy on the part of parliament and is entirely alien to the Japanese constitution.[22]

[20] *Kempo Teiyo*, or "Principles of the Constitution" (Tokyo, 1910), Vol. II, p. 530. Dr. Hozumi was a member of the law faculty of the Imperial University of Tokyo from 1891 to 1912, serving for fourteen years as dean of that faculty.

[21] *Kempo Teiyo*, Vol. II, pp. 537–538. [22] *Kempo Teiyo*, Vol. II, pp. 553–554.

Likewise, in eloquent terms, Professor Shinkichi Uyesugi contended that "the fundamental character of the Japanese state is the preponderance of the imperial prerogative and the subordination of all other powers to it, with the result that parliamentary government or party government has no place under the Japanese constitution."[23] Similar views are held by Cho Shimizu and other reactionary jurists.[24]

### THEORY OF THE NEW SCHOOL ON MINISTERIAL RESPONSIBILITY

The view of the new school of jurists on the subject of ministerial responsibility, like that of the old school, has its roots in the concept of the state. In 1934, the Japanese awoke to the fact that a professor of the Imperial University of Tokyo, who had recently retired and had been appointed a member of the House of Peers, had actually taught the doctrine that the Emperor was not the state but merely an organ of the state. Japanese conservatives were shocked, and the aging professor, Dr. Tatsukichi Minobe, was assaulted by *sochi*, harried by a Home Office that bowed to the fascist societies and militarists, and badgered into resigning from the Peers, while the sale of his books was stopped until expurgated editions could be printed.[25]

Curiously enough, Professor Minobe had expounded the functional theory of the Emperor's powers for nearly thirty years in the Imperial University. Baron Kitokuro Ikki (minister of the imperial household, 1925–34, and president of the Privy Council, 1934–36), as a member of the law faculty, had preceded Minobe in the support of this theory, and many generations of law students had absorbed this teaching in contradistinction to that of Hozumi and Uyesugi.[26] By scientific methodology, Baron Ikki and Pro-

[23] *Kempo Jutsugi*, or "Commentaries on the Constitution" (Tokyo, 1927), p. 645. Dr. Uyesugi, a brilliant pupil of Professor Hozumi, was a member of the law faculty of the Imperial University of Tokyo from 1903 until his death in 1925. He was prominent in the movement to suppress socialist societies among students.

[24] See his *Kempo Hen*, or "Principles of Constitutional Law" (Tokyo, 1923), pp. 678–687.

[25] The attack on Dr. Minobe in the House of Peers began in February, 1935, with denunciatory speeches by Baron Takeo Kikuchi and Baron Mimuroto. *Kwampo gogai*, Feb. 19, 1935, pp. 92–98. Compare the *Tokyo Asahi*, Feb. 19, 1935, p. 1.

[26] Compare the statement by Baron Takeo Kikuchi to the effect that although Baron Ikki had not published his lectures in the law school, nevertheless there were stenographic notes of his lectures in 1899. *Kwampo gogai*, Feb. 19, 1935, p. 94.

fessor Minobe had had little difficulty in overthrowing the theory of the *kokutai* to the effect that the Japanese state was in its nature unlike all other states.[27] A state is a natural phenomenon, and no people have a monopoly upon essence of statehood. It was another question to seek to prove, as both Ikki and Minobe have sought, the responsibility of the ministers to the Diet. The stumbling block is, of course, the emphatic statement of Prince Ito already quoted from his *Commentaries*. But if this echo from the past can be ignored or explained away and the text of the constitution examined by itself, an effective argument can be advanced in favor of political responsibility.

Treating the constitution as the logical and symmetrical organic law of a living institution, there is considerable justification for the assumption of ministerial responsibility to the Diet. The Diet has in practice and theory a large measure of control over administration, exercised through interpellations, passage of resolutions, examination of the budget, assent to projects of law, addresses to the Throne, and votes of confidence or of non-confidence.[28] And finally, the Ikki-Minobe doctrine has an advantage inasmuch as practice is the most sound justification of a doctrine. The fact that after a vote of non-confidence the ministry usually resigns or advises the dissolution of the House and an appeal to the electorate seems to indicate that the more liberal interpretation conforms with the trend of political evolution.

### MINISTERIAL RESPONSIBILITY IN PRACTICE

Perhaps it is not too much to say that the Ikki-Minobe theory of ministerial responsibility has been a rationalization of the actual tendency in Japanese practice over the course of half a century. Separation of powers ever whets the appetite of legislatures, and the Imperial Diet has been no exception to this observation. In spite of the frowns of clansmen, bureaucrats, and militarists, political parties appeared in the first session of the Diet and began the long battle for control of the executive. It is significant that Prince Ito was the first one of the Meiji advisers to abandon hostility to political parties. When Prince Ito in 1898 advised the

[27] *Kempo Satsuyo*, or "Principles of the Constitution" (Tokyo, 1932), pp. 10–21. See also his several essays in the *Saikin Kempo Ron*, or "Recent Developments in Constitutional Law" (ed. by Jiro Hoshijima, Tokyo, 1927).

[28] Minobe, *Kempo Satsuyo* (1932), pp. 304–311; and his *Kempo Seigi* (1927), pp. 542–550.

Emperor to appoint a party cabinet under Okuma and Itagaki, and even more when Ito in 1900 accepted the leadership of the Rikken Seiyukai, or Friends of Constitutional Government party, he contradicted whatever restrictions his *Commentaries* had placed upon Article LV of the constitution.[29]

The first party government under Okuma and Itagaki, in 1898, remained in office only four months; internal dissensions disrupted it. In 1900, Ito himself formed a party cabinet, and in the thirty-five years that followed this event party cabinets have governed Japan during a total of twenty years. Until the militarists captured the government in 1932, a succession of seven party cabinets from 1924 to 1932 seemed to give promise that parliamentary control of the executive had come to stay. Since 1932, the cabinets of Saito, Okada, and Hirota, containing a few party leaders but more bureaucrats, have been only a thin disguise for military control. During the Manchurian conquest, the parties in the Diet have been too weak, too divided, and too much lacking in prestige to demand and maintain a party cabinet.[30]

The outcry against the Ikki-Minobe functional theory of the Emperor may be viewed as a rationalization of the militarists, fascist societies, and reactionaries who are opposed to parliamentary government. For years, the theory has been condemned in the army.[31] At the same time, the widespread distrust of the political parties due to numerous financial scandals in which politicians have been involved, bribery at elections, and the well-known and somewhat venal connection between the parties and such gigantic business interests as the Mitsui and the Mitsubishi have discouraged public support of parliamentary development.[32]

Whatever may be the parliamentary theory, the cabinet—whether it be a party cabinet or a transcendent cabinet—finds it

[29] Regarding Prince Ito's conversion to party government, see Takeshige Kudo, *Meiji Kensei Shi*, or "Constitutional History of the Meiji Era" (1914–1922), Vol. I, pp. 397–398, 603–605; Vol. II, pp. 58–59.

[30] Compare article on "The Plight of Parliamentarism in Japan in Recent Years," in the *Nippon Keizai Nempo*, or "Japanese Economic Annals" (Feb. 1934), Vol. XV, pp. 228–269.

[31] See reports in the press of the statement of Baron Kikuchi to the effect that the late Marshal Uyehara used to denounce Dr. Minobe's theory and warned his subordinate officers against the dissemination of such theories in the army. *Tokyo Asahi*, Mar. 5, 1935, p. 2; *Japan Weekly Chronicle*, Mar. 14, 1935, p. 339.

[32] Compare the address of Yukio Ozaki before the House of Representatives on March 16, 1935. *Kwampo gogai*, Mar. 17, 1935, pp. 687–690.

difficult to govern the nation without support in the legislature. Thus, grim necessity dictates compliance with the practice that after a resolution of lack of confidence in the House of Representatives the cabinet must either resign or cause a dissolution and appeal to the country. Even transcendent cabinets come to an "understanding" with at least one party or group in the House of Representatives or the Peers. The defeat of a government bill is not equivalent to a vote of lack of confidence, but, on the other hand, cabinets invariably resign after the passage of a *fushinnin ketsugi* (resolution of non-confidence) or a *monseki ketsugi* (resolu-

PARTY CABINETS

| *Tenure* | *Premier* | *Party* |
|---|---|---|
| Dec. 1885–Apr. 1889 | Ito | |
| Apr. 1889–Dec. 1889 | Kuroda | |
| Dec. 1889–May 1891 | Yamagata | |
| May 1891–Aug. 1892 | Matsugata | |
| Aug. 1892–Sep. 1896 | Ito | |
| Sep. 1896–Jan. 1898 | Matsugata | |
| Jan. 1898–June 1898 | Ito | |
| June 1898–Nov. 1898 | Okuma | Kenseito |
| Nov. 1898–Oct. 1900 | Yamagata | |
| Oct. 1900–June 1901 | Ito | Seiyukai |
| June 1901–June 1905 | Katsura | |
| June 1905–July 1908 | Saionji | Seiyukai |
| July 1908–Aug. 1911 | Katsura | |
| Aug. 1911–Dec. 1912 | Saionji | Seiyukai |
| Dec. 1912–Feb. 1913 | Katsura | |
| Feb. 1913–Apr. 1914 | Yamamoto | Seiyukai |
| Apr. 1914–Oct. 1916 | Okuma | Doshikai (Kenseikai) |
| Oct. 1916–Oct. 1918 | Terauchi | |
| Oct. 1918–Nov. 1921 | Hara | Seiyukai |
| Nov. 1921–June 1922 | Takahashi | Seiyukai |
| June 1922–Sep. 1923 | Admiral Kato | |
| Sep. 1923–Jan. 1924 | Yamamoto | |
| Jan. 1924–June 1924 | Kiyoura | |
| June 1924–Aug. 1925 | Taka-akira Kato | Kenseikai-Seiyukai |
| Aug. 1925–Jan. 1926 | Taka-akira Kato | Kenseikai |
| Jan. 1926–Apr. 1927 | Wakatsuki | Kenseikai |
| Apr. 1927–July 1929 | Tanaka | Seiyukai |
| July 1929–Apr. 1931 | Hamaguchi | Minseito |
| Apr. 1931–Dec. 1931 | Wakatsuki | Minseito |
| Dec. 1931–May 1932 | Inukai | Seiyukai |
| May 1932–July 1934 | Saito | |
| July 1934–Feb. 1936 | Okada | |
| Mar. 1936– | Hirota | |

tion of censure), although neither the constitution nor the *Giin-ho* (Law of the Houses) provides for these parliamentary weapons.[33] In the third session of the Diet, the Matsugata ministry resigned after a *fushinnin ketsugi* was passed in the House of Representatives because of brutal interference in the general election.[34] In 1917, the Okuma cabinet, aware of the fact that the *fushinnin ketsugi* introduced by Yukio Osaki would be carried, dissolved the House of Representatives without waiting for the vote.[35]

## DUAL GOVERNMENT

A staggering handicap upon parliamentary control in Japan is found in the separation of civil and military affairs. This separation obtained before the constitution was granted; the constitution merely perpetuated it. Article XI reads: "The Emperor has the supreme command of the army and navy," while Article XII reads: "The Emperor determines the organization and peace standing of the army and navy." The prerogative of command over the armed forces is known as the *tosui taiken* and the prerogative of military administration as the *hensei taiken*. Now the *tosui taiken* is exercised by the Emperor, not through the cabinet, but through the chiefs of staff. More than this, civilian ministers of state are excluded from the advisers of the supreme command. Advice upon the *tosui taiken* is limited to the Board of Marshals and Fleet Admirals, the Supreme War Council, the ministers of war and the navy, and the chiefs of staff.

The exclusion of the cabinet as a whole from the rendering of advice on military affairs was assured in the *Naikaku Kwansei*, or Imperial Ordinance Regarding the Organization of the Cabinet, which provided in its seventh article: "With the exception of questions of *gunki* (strategy) and *gunrei* (military command), which, having been reported directly to the Emperor, may have been submitted to the cabinet for deliberation, the ministers of state for war and the navy shall report to the minister president of

[33] Minobe, *Kempo Satsuyo* (1932), pp. 304–311, and his *Kempo Seigi* (1931), pp. 546–547; Shigeji Moriguchi, *Kensei no Genri to Sono Unyo*, or "Principles and Practices of Constitutional Government" (Tokyo, 1929), pp. 211–217.

[34] *Dai Nippon Teikoku Gikai Shi*, or "Stenographic Records of the Imperial Japanese Diet" (Tokyo, 1926–1930), Vol. I (May 14, 1892), pp. 1891-1899. Compare Takeshige Kudo, *Teikoku Gikai Shi*, or "History of the Imperial Diet" (1901–1908), Vol, I, pp. 150–151; and his *Meiji Kensei Shi*, or "Constitutional History of the Meiji Era" (1914–1922), Vol. I, pp. 382–383.

[35] *Dai Nippon Teikoku Gikai Shi*, Vol. X (Jan. 25, 1917), pp. 1074–1079.

state."[36] In other words, the ministers of war and the navy enjoy the *iaku joso*, or direct communication with the Throne on military affairs—a right held also by the chiefs of staff of the army and the navy, but not held by the prime minister or other members of the cabinet.[37]

In most parliamentary systems, it is possible for a civilian to hold the portfolios of war and the navy, and in Great Britain, France, and many lands this is usually the case. There is no bar to such arrangement under the Japanese constitution. But in 1900 Prince Yamagata, the founder of the modern army of Japan, determined to forestall the appointment of civilians and accomplished this by an addition to the imperial ordinances for the organization of the departments of war and of the navy which required that only generals or lieutenant-generals on the active list may preside over the former and only admirals or vice-admirals may preside over the latter.[38] In this subtle fashion, a custom was enacted as law.

The requirements as to the appointment of the ministers of war and the navy constitute a serious obstacle to the development of ministerial responsibility and promote what the Japanese call *niju seifu*, or dual government. While the prime minister is limited in choosing his other colleagues in the cabinet only by the necessity of winning support in the Diet, he is at the mercy of the army and navy for appointment to the portfolios of war and the navy. In case the military and naval cliques refuse to give him a qualified officer, he will not be able to form a cabinet, and even after the cabinet is formed it may be destroyed by the resignation of one of these officers.

In 1912, the second cabinet of Prince Saionji was wrecked in this manner. General Uyehara, the war minister, had demanded

[36] *Genko Horei Shuran* (Tokyo, 1907), Vol. I, bk. i, pt. iii, p. 1.

[37] Compare Minobe, *Kempo Seigi* (1931), pp. 532-534, and his *Kempo Satsuyo* (1932), pp. 330–333; Baba, *Kempo Seiji no Riron to Jissai* (1926), pp. 201–204.

[38] The rule was laid down simply by appending lists to the *Rikugunsho Kansei* ("Imperial Ordinance for the Organization of the War Department") and the *Kaigunsho Kensei* ("Imperial Ordinance for the Organization of the Navy Department") specifically naming the army and the navy officers eligible for appointment respectively to the two portfolios. Compare Minobe, *Kempo Seigi* (1932), pp. 528–529. Prince Ito, in reply to a question from the Emperor on September 15, 1891, had held for the separation of the military and political powers, and in principle approved of the appointment of only high ranking army and naval officers to the portfolios of war and the navy. See *Ito Hirobumi Hiroku*, or "Secret Memoirs of Prince Hirobumi Ito" (ed. by Atsushi Hiratsuka, Tokyo, 1929), pp. 113–115.

an increase of the army by sending two divisions to garrison duty in Korea. The ministry, which was pledged to retrenchment, refused to ask the Diet for the necessary appropriation. Thereupon the war minister resigned. In vain, Saionji approached Yamagata for an "understanding." Under the influence of the great Genro, no general or lieutenant-general would accept the appointment.[39] As a result, the Saionji cabinet was forced to abandon office although it commanded a majority in the House of Representatives. The defiance of the army on this occasion provoked a popular demand for constitutional reform, and a succeeding premier, Count Admiral Yamamoto, made a concession to this demand by widening the qualifications for the portfolios to include high-ranking officers on the reserve list as well as the active list.[40]

Again, when Viscount Kiyoura received the imperial command to form a cabinet in 1914, he was able to fill all posts except the naval portfolio, and failing to come to terms with the navy clique who refused to permit a high-ranking naval official to take office, he was compelled to abandon his task.[41] Such interference with parliamentary government has been less prevalent with the navy than with the army. For instance, after the revolt of February, 1936, it was General Juichi Terauchi and the military clique who circumscribed the selection of the Hirota cabinet. Yoshida, who was slated for the foreign office, was discarded because of the army's distrust of his enthusiasm for the Manchurian expedition; Shimonura, desired as colonial minister, was rejected because he happened to be editor of the progressive newspaper *Asahi;* and Ohara, selected for minister of justice, was eliminated because he had vigorously prosecuted the assassins of Premier Inukai.[42]

The diplomacy of the last four years during the conduct of the

[39] Yosaburo Takekoshi, *Toan-ko*, ch. lxiv; Kudo, *Taisho Kensei Shi*, pp. 13–20. Saionji persuaded Admiral Saito to leave the navy portfolio, and when Prince Katsura tried to form a cabinet he was compelled to petition the Emperor for an imperial edict commanding Admiral Saito to retain his post. See the interpellation by Hajime Motoda in the *Dai Nippon Teikoku Gikai Shi* (Feb. 5, 1912), Vol. VIII, pp. 1473–1478.

[40] Compare Kudo, *Taisho Kensei Shi*, or "Constitutional History of the Taisho Era" (Tokyo, 1927), p. 72; Minobe, *Kempo Seigi* (1932), pp. 528–529. Recently an imperial decree has again limited the appointment of ministers and vice-ministers of war and the navy to the active list. *Kwampo*, May 18, 1936, p. 1.

[41] See the editorial note in the *Dai Nippon Teikoku Gikai Shi*, Vol. IX, p. 786. Compare Kudo, *Taisho Kensei Shi*, p. 96.

[42] *Tokyo Asahi*, Mar. 6, 7 and 8, 1936; *Jiji Shimpo*, Mar. 7 and 9, 1936.

Manchurian expedition has given startling exhibitions of *niju seifu*. In September, 1931, when the cabinet was deliberating whether or not to accede to the plans of War Minister Minami to send reinforcements into Manchuria, General Hayashi, commander of the Japanese garrison in Korea, dispatched a brigade to Kirin and the cabinet was confronted with a *fait accompli* that destroyed the diplomatic policy of Baron Shidehara.[43] A month later, assurances given to the United States by the foreign office that Chinchow would not be attacked were disregarded by the army when it drove the Chinese out of this border town.[44]

The decade prior to 1931 witnessed a persistent campaign for the abolition of the *iaku joso* and of the restrictions upon the appointment of the war and navy ministers. The crusade was carried on in the Diet by Ikuzo O-oka.[45] The gifted Sakuzo Yoshino appeared as pamphleteer, and the progressive newspaper, the *Asahi Shimbun*, gave editorial support.[46] In a quiet way, of course, the scholarly teaching of Minobe and the new school of jurists tended to promote such a reform. But the Mukden incident and the rapid rise to ascendency on the part of the militarists prostrated the movement.

### THE CABINET AND THE PRIVY COUNCIL

No account of the cabinet should neglect the Privy Council, for laws and ordinances must be drafted with an eye not only to passage in the Diet but also to approval by the privy councillors. All projects of law are submitted to the Council prior to introduction in the Diet; all imperial ordinances are scrutinized by the Council before promulgation, and all treaties before ratification.[47]

[43] Regarding the deliberations in the cabinet, see accounts in the *Tokyo Asahi*, the *Osaka Mainichi*, and the *Jiji Shimpo*, Sept. 22, 23 and 24, 1931. Compare an article in the *Keizai Orai*, or "Economic Review" (Nov., 1931), Vol. VI, no. 6, pp. 90–97.

[44] For Secretary of State Stimson's statement, see *U. S. Department of State: Press Releases*, Nov. 28, 1931, pp. 502–503. Compare the *Tokyo Asahi*, Nov. 29, 1931, p. 1.

[45] See O-oka's speech in support of his resolution for retrenchment of the army, on February 7, 1922. *Dai Nippon Teikoku Gikai Shi*, Vol. XIII, pp. 655–656.

[46] Yoshino's *Niju Seifu to Iaku Joso*, or "Dual Government and the Supreme Command" (Tokyo, 1922), was the leading literary attack on the system of *iaku joso*.

[47] See the *Sumitsuin Kansei*, or "Imperial Ordinance Regarding the Privy Council," No. 22, April 28, 1888, as amended. *Genko Horei Shuran* (1927), Vol. I, bk. i, pp. 1–14.

What the Supreme Court is to the president and Congress in the United States, the Privy Council is to the Japanese cabinet. Like the Supreme Court, it may suddenly wreck an executive policy. While both bodies are guardians of the constitutions of their respective lands, the chief difference is that in Japan measures are submitted to the Privy Council before rather than after legislative enactment and are examined not merely upon their legal but also upon their economic and social merits. Of course, in case the Privy Council advises the Emperor in opposition to any proposal of the cabinet, the prime minister is at liberty, so far as the constitution reads, to advise the Emperor to disregard the Council's advice. This may indeed be the manner in which the cabinet will eventually free itself from the restriction of the Council. But thus far, cabinets have bowed to adverse decisions by either acquiescence or resignation.[48]

### THE PRIME MINISTER AND COLLECTIVE MINISTERIAL RESPONSIBILITY

The designation of a Naikaku Sori Daijin, or prime minister, under the *Naikaku Kansei* of 1889 was a frank imitation of European cabinets. It was expected that the prime minister would not only preside over the cabinet but also exert a directing and unifying hand upon the administration. The idea of unity was expressed in the second article of the *Naikaku Kansei* providing that the prime minister should report to the Emperor on all affairs of state. Not that his colleagues in the cabinet lack access to the Emperor for the purpose of giving advice upon their respective departments, but rather that there is implied the expectation that the audiences of these ministers before the Throne should be minimized. The theory of unity in the cabinet is expressed also in the well-known memorial addressed to the Throne by the cabinet in 1889, which explained the necessity for secrecy regarding the cabinet meetings in the following words:

> The cabinet organization being based upon the assumption of unity of thought and action on the part of all its members, the ministers are in duty bound to proceed in unison on all public occasions in matters of policy and administration. None of them should under any pretext deviate from this course, even when in a concrete case he personally more or less differs in opinion from his colleagues over some particular question. And for the maintenance of such unity in the cabinet, nothing is more important than secrecy concerning all its deliberations. Notwithstanding

[48] See the author's "Japanese Privy Council," in this REVIEW, Vol. XXV, pp. 881–905.

the fact that the soul of constitutional government consists in unstinted publicity, the conferences of the cabinet itself must always be shrouded in privacy, in order that the opinions of none of its members may leak out of its walls and occasion either public elation or accusation. Furthermore, even when a member of the cabinet . . . has resigned, he is still in duty bound to maintain a long silence on any political event relating to his tenure of office. For such is the rule of ethics for ministers of state seated in the cabinet.[49]

This statement comes close to an affirmation of collective ministerial responsibility such as exists in the unwritten constitution of Great Britain. Responsibility of this character, however, was not the intention of Prince Ito, who on this question is less straddling than on many others. Among his comments on Article LV we find:

The minister president of state is to make representations to the Emperor on matters of state, and to indicate, according to his pleasure, the general course of the policy of the state, every branch of the administrative being under control of the said minister. The compass of his duties is large, and his responsibility cannot but be proportionally great. As to the other ministers of state, they are severally held responsible for the matters within their respective competency; there is no joint responsibility among them in regard to such matters. For, the minister president and the other ministers of state, being alike personally appointed by the Emperor, the proceedings of each one of them are, in every respect, controlled by the will of the Emperor, and the minister president himself has no power of control over the posts occupied by other ministers, while the latter ought not to be dependent upon the former. In some countries, the cabinet is regarded as constituting a corporate body, the ministers are not held to take part in the conduct of the government each one in an individual capacity, but joint responsibility is the rule. The evil of such a system is that the power of party combination will ultimately over-rule the supreme power of the Sovereign. Such a state of things can never be approved of according to our constitution. But with regard to important internal and external matters of state, the whole government is concerned, and no single department can, therefore, be exclusively charged with the conduct of them. As to the expediency of such matters and as to the mode of carrying them out, all the ministers of state shall take united counsel, and none of them is allowed to leave his share of the business a burden upon his colleagues. In such matters, it would of course be proper for the cabinet to assume joint responsibility.[50]

Laying aside Prince Ito's comments, there is nothing in the constitution which bars the way to the development of collective ministerial responsibility. The old school of jurists, including Hozumi, Uyesugi, and Shimizu, hold that ministers are only in-

[49] Kudo, *Meiji Kensei Shi*, or "Constitutional History of the Meiji Era" (Tokyo, 1914–1922), Vol. I, pp. 298–302.

[50] *Commentaries*, pp. 94–95.

dividually responsible for their advice.[51] The reason is plain. To admit the existence of collective responsibility obviously makes for parliamentary government on the British model. By the same token, the new school of jurists, including Minobe, Moriguchi, and Soichi Sasaki, support the theory of collective responsibility.[52]

Parliamentary practice conforms with both theories. The cabinet acts as a unit, and generally stands and falls as a unit, although frequently, under pressure from the Diet, unpopular ministers will be thrown over as sacrifices to the people. Thus, in 1934, Ichiro Hatoyama, as minister of education, was sacrificed to the reformers, who claimed that there was something shady in a campaign contribution of 50,000 yen for the Seijukai obtained by Hatoyama from the Karafuto Industrial Company.[53] In the same year, the Okada cabinet abandoned Baron Nakashima, minister of commerce and industry, whose enemies had unearthed an essay written by him a dozen years earlier in which he seemed to praise the Ashikaga shogun who had subdued an emperor as far back as 1335—this being treated as lèse majesté.[54]

The chief parliamentary weapon against the ministers individually is the *dangai joso ketsugi*, or resolution of impeachment (literally meaning a resolution for an address to the Throne on impeachment), which may be directed against the whole cabinet or against a single minister.[55] This Damocles sword hangs over the head of every cabinet member, and often by a very weak thread. Hardly a session closes without the introduction of one or more such resolutions, usually in the House of Representatives, sponsored sometimes by a single member and sometimes by a party. Although the House has no means of trying and punishing an impeached minister, the adoption of a *dangai joso ketsugi* has such sinister effect as to destroy the usefulness of that minister to his colleagues.

Japanese parliamentarians have looked with some apprehension upon the Naikaku Shingi Kwai, or Cabinet Council, created

[51] See Hozumi, *Kempo Teiyo* (1910), Vol. I, pp. 560–566; Uyesugi, *Kempo Jutsugi* (1927), pp. 672–673; Shimizu, *Kempo Hen* (1923), pp. 647–649, 702, 727.

[52] Minobe, *Kempo Seigi* (1927), p. 552; and his *Kempo Satsuyo* (1932), p. 301. Compare Shigeji Moriguchi, *Kensei no Genri to sono Unyo* (1929), pp. 206–217.

[53] *Kwampo gogai*, Feb. 19, 1934, pp. 341–342. Compare the *Tokyo Asahi* and the *Osaka Mainichi*, Mar. 4 and 6, 1934.

[54] *Kwampo gogai*, Feb. 10, 1934, p. 210; *Tokyo Asahi*, Feb. 11, 1934, p. 1; *Japan Weekly Chronicle*, Feb. 15, 1934, pp. 197–198, 207–208.

[55] Compare Minobe, *Kempo Seigi* (1931), pp. 483–484; Moriguchi, *Kensei no Genri to sono Unyo* (1929), pp. 201–205.

by the Okada cabinet in 1935, holding that it is a device of the bureaucrats and militarists to aid the cabinet in avoiding responsibility to the Diet.[56] On the other hand, Admiral Okada championed it as a means of securing non-partisan development of national policies.[57] Its fifteen members are intended to include: (1) elder statesmen other than the Genro, (2) members of the Peers, (3) leaders of all the parties, and (4) representatives of "big business." Seiyukai members have been reluctant to accept appointment to the council, and its place in the parliamentary system seems uncertain.

It is evident that so far as the written constitution of 1889 is concerned, the Japanese cabinet has few restrictions retarding its development into a parliamentary organ. Indeed, there was a pronounced parliamentary trend prior to the invasion of Manchuria in 1931. The limitations upon this development are found in customs and usages, many of them expressed in imperial ordinances which can be amended or repealed without any alteration in the constitution. The constitution itself, reflecting the compromising spirit of Prince Ito, is a nice balance between reactionary and progressive ideas, with the result that the cabinet is not in a position long to resist the pressure of the most influential forces in the state.

[56] The Naikaku Shingi Kwai was established by an imperial ordinance dated May 10, 1935. *Kwampo gogai*, May 11, 1935, p. 1. Another ordinance provided for the Naikaku Chosa Kyoku, or Cabinet Research Bureau, for the purpose of conducting investigations of subjects referred to it by the prime minister. Compare section on the "Naikaku Shingi Kwai" in the *Nippon Keizai Nempo*, or "Japanese Economic Annals" (July, 1935), Vol. XX, p. 275–279.

[57] See the interpellation in the Budget Committee of the House of Representatives on March 18, 1935. *Tokyo Asahi*, Mar. 19, 1935, p. 2.

**Recent Proposals to Reform the Electoral College System.** Since the 1932 election, developments have occurred which indicate a growing disposition to simplify the presidential election ballot and suggest that a revision of the mode of electing the chief executive may be eventually realized through constitutional amendment. The so-called "presidential short ballot" reform, which was first adopted in Nebraska in 1917,[1] has moved forward rapidly in recent years. Sixteen states now have enacted statutes eliminating the names of presidential electors from the general election ballot, thus permitting their voters to choose electors by indicating a preference only for a party's presidential candidates.[2]

While presidential ballot reform by state action is a step toward simplification of electoral procedure, the states lack the power to go the whole way to actual abolition of the unnecessary office of elector. To accomplish this, a constitutional amendment is required. Since 1932, two proposed amendments aiming at the abolition of the electoral college groups as functioning bodies have been brought to the attention of Congress. One of these, sponsored by Representative Lea of California, was given favorable committee action in both the 72nd and 73rd Congresses, but failed to be taken up for debate.[3] The other, introduced by Senator Norris of Nebraska, was favorably reported by the Senate Judiciary Committee of the 73rd Congress, debated, and rejected by a narrow margin in the

[1] The evolution of the presidential short ballot is described by L. E. Aylsworth in "The Presidential Ballot," in this REVIEW, Vol. 17, pp. 89–96 (Feb., 1923), and "The Presidential Short Ballot," *ibid.*, Vol. 24, pp. 966–970 (Nov., 1930).

[2] Nebraska, *Compiled Statutes* (1929), sec. 32–220; Iowa, *Iowa Code* (1931), ch. 40, sec. 750; ch. 45, sec. 964; Michigan, *Compiled Laws* (1929), secs. 3245–3249; Wisconsin, *Statutes* (1931), ch. 6, sec. 6.23; Illinois, *Revised Statutes* (1935), ch. 46, sec. 1; Ohio, *Page's Annotated General Code* (1935 *Supplement*), sec. 4785–107; Pennsylvania, *Purdon's Pennsylvania Statutes Annotated* (1935 *Supplement* to Title 25), ch. 8, sec. 1727; North Carolina, *Code of 1931* (1933 *Supplement*), sec. 6010; Indiana, *Burns' Indiana Statutes* (1933), VII, ch. 1, sec. 29–112; Missouri, *Laws* (1933), p. 225; Massachusetts, *Annotated Laws* (1933), II, ch. 54, sec. 43; Connecticut, *General Statutes* (*Cumulative Supplement*, 1935), sec. 165c; Washington, *Laws* (1935), ch. 20, sec. 1.

In addition to the foregoing states which have eliminated electors' names on all presidential ballots, three states have provided for their elimination only on voting machine ballots, and require provision of facilities for splitting the electoral ballot if the voter so desires. These states are New York, *McKinney's Consolidated Laws Annotated*, Bk. 17, secs. 107, 260, note, 1936 *Supplement*; Alabama, *General Acts* (1935), no. 282, sec. 17; Rhode Island, *Acts and Resolves* (1935), ch. 2195, sec. 4. The validity of this action in New York was sustained by the supreme court of Kings county in Thomas v. Cohen, 146 Misc. 836 (1933), 262 N.Y.S. 320; see also Gerling v. Nichols, 123 Misc. 811 (1924), 206 N.Y.S. 191.

[3] *House Report* 2194, 72nd Cong., 2nd Sess.; *House Report* 262, 73rd Cong., 2nd Sess.

Senate on May 21, 1934.[4] These plans were basically similar in providing for the abolition of the office of presidential elector while preserving the present electoral strength of the states based upon the representation of states in the House and Senate; but they differed materially in other respects. A third proposal, introduced by Senator Coolidge of Massachusetts and providing for direct popular election of the president, was not reported out of committee.[5]

The Lea plan provided for direct voting for the president and vice-president to determine the distribution of a state's electoral vote, the rival candidates sharing the electoral votes of each state in proportion to their total popular vote therein. The electoral votes of the respective candidates in a state thus determined would be certified to Congress by state election authorities.[6] Recognizing that this system would probably result in splitting the electoral vote among a number of candidates, the proposal provided further that a plurality of all the electoral votes in the country, instead of a majority as at present, should determine the final result. Since the division of the electoral votes in the states would be carried out in fractions to hundredths, there would be little likelihood of a tie in the totals of the leading candidates. But in such a remote contingency, the candidate receiving the greatest number of popular votes in the country at large should be declared elected.

The chief merits claimed for this plan are that (1) it would give proper weight to the minority in each state's electoral vote, thus reflecting public opinion more accurately and stimulating popular interest and participation in presidential elections in all states rather than in only those regarded as doubtful;[7] (2) it would eliminate the present unsatisfactory provision for choice of a president by the House or of a vice-president by the Senate in case of failure to elect by a majority of the electoral votes;

[4] S. J. Res. 29. See *Congressional Record*, 73rd Cong., 2nd Sess., pp. 8935ff, 9125ff, 9240ff.

[5] S. J. Res. 40, 73rd Congress.

[6] The proportional electoral vote idea was first formally presented to Congress in an amendment resolution introduced by Representative Lawrence of New York in 1848, and has been included in many others since that time. See H. V. Ames, *Proposed Amendments to the Constitution of the United States During the First Century of Its History*, p. 95ff; also J. H. Dougherty, *The Electoral System of the United States*, p. 364ff; *House Report* 2439, 52nd Cong., 2nd Sess.

[7] The House reports noted above contain much illuminating material relating to the functioning of the electoral system in the 1932 election. Statistics are given revealing that popular participation varied from 6 voters per hundred persons in South Carolina to 48.6 voters per hundred in Indiana, with an average for the country at large of 32.4. To illustrate the working of the proportional vote system, a table applying this method to the 1932 election results showed that Roosevelt would have received 324.66 electoral votes, Hoover 187.32, and Thomas 6.81—a much fairer representation of the relative strength of these candidates than the 472 for Roosevelt and 59 for Hoover actually recorded.

(3) it would simplify procedure by abolishing the office of elector and thus remove the possibility of defeat of the popular will through electors' failure to comply with technical provisions of the law relative to qualifications, meeting, and balloting; and (4) it would harmonize with our ideal of a federal democracy by securing substantially all the advantages of direct popular election of the chief executive while preserving for each state its present powers in the determination of suffrage standards and administration of elections.

That these claims have weight must be conceded, but the objections that would be raised against such a radical departure from our present system make its acceptance very unlikely. Obvious criticisms are that it would encourage the formation of numerous minor parties; weaken, if not destroy, the present two-party system; and increase greatly the likelihood of electing minority presidents. The present plurality vote system of choosing electors employed in all the states with one exception[8] is admittedly a most powerful factor in the maintenance of the dual party system, and a change carrying with it the implication of disruption of the two dominant parties would undoubtedly be strenuously opposed. Minority choices would be more frequent, if not the rule. While it is true that seven of the last fifteen presidents have been favored by only a minority of the nation's voters, as revealed by the popular votes cast, it does not follow that the deliberate adoption of a plan which would greatly facilitate the capture of this important office by a sectional or class-dominated minority party would not be strongly opposed. The same major party interests which at present prevent the adoption of a district or a proportional vote system of choosing presidential electors in the several states would operate to defeat ratification of an amendment of this nature, should it be favorably acted upon by Congress.

In the form in which it was finally acted upon in the Senate, the Norris proposal embraced fewer innovations than the Lea plan.[9] It provided that the choice of each state for president and vice-president should be determined by direct popular vote, the candidate receiving a plurality of

[8] In Georgia, to be elected by popular action, electors must receive a majority of the popular vote. In case of failure to do so, the legislature chooses them. *Georgia Code* (1933), ch. 34, secs. 2502–2504.

[9] When introduced, the Norris resolution (S. J. Res. 29) included the proportional electoral vote idea, but during committee consideration this feature was eliminated. In explaining this action to the Senate, Senator Norris stated that while he still considered the proportional vote idea to be the ideal solution of the problem, he had become convinced of its impracticability. *Congressional Record*, 73rd Cong., 2nd Sess., p. 8937. Further changes were made in the original plan during consideration, the most important of which was the elimination of a provision that 35 per cent of the electoral vote should be sufficient to elect, rather than a majority. *Ibid.*, p. 9125.

votes in a state to be automatically credited with all of the electoral or "presidential" votes to which that state is entitled under the present arrangement. To clear up a doubtful point of constitutional law, a clause was included specifically conferring authority upon Congress to make provision for cases involving disputed returns or regarding any controversy that might arise in the canvassing of the presidential votes in joint session. The Norris resolution was therefore a comparatively innocuous proposal to write into the Constitution substantially the basic features of the existing mode of electing the president, the most significant change being the abolition of the office of elector. Nevertheless, there were features in the plan which appeared so dangerous to the more conservative senators as to arouse their opposition. It was suggested that under the proposed system, opportunity might be offered by states to their voters to vote separately for president and vice-president, with the consequent possibility that a president and vice-president of different political parties might be elected.[10]

Another criticism strongly stressed was that the simplification of the electoral machinery through eliminating the electors would encourage independent and third party candidacies, and thus tend to weaken the present major party organizations and to throw more elections into the House and Senate.[11] The wording of the proposed amendment would indicate that these results might follow its adoption; indeed, the sponsor of the resolution, whose views on the question of independency are well known, maintained that these were the features of the plan which gave it most merit, as the threat of independent candidates would assure greater responsiveness by parties to public opinion in selection of candidates and issues. Whether the amendment would have effects on the party system and elections as great as claimed is, of course, somewhat speculative, since the character of subsequent state legislation on the presidential ballot would be determinative.[12] At any rate, these implications of the plan

[10] See comments of Senator Tydings, *ibid.*, pp. 8936–8938.

[11] Senators Vandenburg, Fess, and Steiwer in particular emphasized this point. *Ibid*, pp. 8944–8951, 9241. A clause in the resolution expressly stated that "the laws of the state providing for the placing of names of candidates for the office of chief executive of such state, including the names of independent candidates, upon the official ballot, if any is provided by the law of the state, shall apply to the names of candidates, including independent candidates, for the office of president and vice-president." The difficulty experienced by the new Union party in perfecting the necessary organization to present slates of electors in the various states illustrates the disadvantages under which a new party labors by reason of the present electoral system.

[12] The inclusion in the Norris plan originally of the rule that 35 per cent of the electoral vote should elect was apparently indicative of the belief of the sponsor that electoral votes would be more widely distributed among candidates. He did not insist on retention of this feature, however, possibly because he felt that election

proved to be controlling factors, for on question of passage, the resolution failed by two votes to receive the necessary constitutional majority. On reconsideration of the vote on the following day, it again failed by the same margin.[13] No attempt was made in the 74th Congress to revive it.

The abolition of the useless electoral college is a constitutional reform long overdue, but a century and a quarter of fruitless effort to accomplish it has demonstrated that agreement on a new procedure embodying any substantial change will not be easily achieved. Any scheme of revision, to be acceptable, must be adapted to the federal arrangement as to the determination of suffrage requirements and administration of elections, which practically eliminates from serious consideration the idea of direct popular election by the nation at large. Moreover, the less populous states will object to any plan which reduces the advantages which they enjoy under the present electoral system growing out of representation of Senate as well as House seats in the apportionment of electoral votes, and out of the provision for voting for presidential candidates by states in the House in case of failure to elect by the electoral vote. Reform seems to be feasible at present only by revision within the limits of the present electoral vote system. The readiness of states to eliminate electors' names from ballots, noted above, indicates that agreement on abolition of the office of elector should not be difficult if not tied up with other more controversial questions. The method by which the electoral vote of a state is awarded to candidates and the procedure for settling the issue when a decision is not reached through the electoral vote are features of the present system which are widely criticized, but it should be recognized that any changes in regard to them will in all probability involve far-reaching changes in party institutions as well. It is very doubtful whether any proposals touching these matters will be received favorably so long as the existing system functions in a fairly satisfactory way.

In this connection, one feature of the Norris plan which was given no great amount of attention in the Senate discussion should be noted. Under the present arrangement, it is possible for states to adopt voluntarily the district vote, proportional vote, or some other method of choosing electors. The Norris plan would fix the plurality vote system definitely in the Constitution, depriving the states of the power to alter it in any way. Whether this should be done might well be questioned, despite the

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by the House would be rendered more effective than heretofore as a threat against regular party organizations if the majority vote rule were retained.

[13] The vote was 42 to 24 in favor of passage. On motion to reconsider, it was 52 to 29. On the latter vote, 40 Democratic senators, 11 Republicans, and one Farmer-Laborite supported the resolution by voting to reconsider, and 9 Democrats and 20 Republicans opposed it. *Ibid.*, pp. 9127, 9245.

desirability of uniformity of practice among the states on this matter and the present nation-wide acceptance of this rule. A provision conferring power upon Congress to legislate on this point might expedite the adoption of a more equitable method of awarding electoral votes among candidates, just as it has forced the acceptance of the district system of choosing representatives upon the states;[14] but it again is very doubtful whether the states would consent to such a transfer of power to the national government. In any event, it would appear wiser to leave the way open to adopt by statute, either state or national, a different method of awarding electoral votes if public opinion warrants it in the future, than to destroy all flexibility of the Constitution in this matter.

As for the present provisions regarding the procedure to be followed in case of failure of any candidate to win an electoral vote majority, the almost certain opposition of the less populous states to change and the infrequency of resort to this extraordinary procedure in the past should be considered before raising an issue on this point which might prove a stumbling block for reform on other less controversial matters. As long as the dual party system prevails, the procedure will be called into play only in the most unusual circumstances. Moreover, since the adoption of the Twentieth Amendment, the present mode has become somewhat less objectionable in that a newly elected House, and not a "lame duck" body, would settle the issue in case of an inconclusive electoral vote for president. The practicalities of the situation, therefore, point to the conclusion that if further attempts are made to deal with the problem of reforming the electoral college system by constitutional amendment, too ambitious a program should not be undertaken, and proposals should deal with those matters upon which agreement by the necessary 36 states is not impossible. To limit reform to such narrow scope as the mere abolition of the electoral office and clarification of language of the Constitution respecting canvassing procedure, which this implies, will be unsatisfactory to many; but it will at least bring the Constitution into conformity with the realities of presidential electoral procedure of today.

JOSEPH E. KALLENBACH.

*University of Michigan.*

[14] It is interesting to observe that the district vote feature was made mandatory in a proposed Twelfth Amendment in 1802 which failed of passage in the Senate by only one vote after approval by the House. This provision was included in proposals which passed the Senate on four occasions between 1812 and 1824, one of which proposals failed in 1820 to receive a two-thirds majority in the House by a margin of only five votes. Ames, *op. cit.*, pp. 81, 84.

**Organization of the Executive Branch of the National Government of the United States: Changes Between April 16 and July 31, 1936.**[1] As in previous lists, mention is here made only of units specifically authorized by law or established by the President by executive order under general authority vested in him.

*Accident Prevention Conference.* Public Act No. 629, 74th Congress, approved May 28, 1936, authorizes an appropriation for the "furtherance of the work of the accident prevention conference," to be expended under the direction of the Secretary of Commerce. The Conference met at the call of the Secretary of Commerce early in 1936, but it is not, speaking strictly, a government agency. The appropriation authorized may be used for "fostering accident-prevention work on the part of organizations engaged in the promotion of safety and accident prevention; preparation and printing of material designed to enlighten the general public in matters of safety and accident prevention, such material to be disseminated through schools, newspapers, magazines, the radio, or any other means of intercourse or communication; the preparation and attempts to obtain enactment of uniform vehicle regulations in the several states; clerical assistance for the members of the General Committee of the Accident Prevention Conference; travel expenses incurred by members of the General Committee of the Accident Prevention Conference in the furtherance of the work of said conference." An appropriation of $35,000 for the salaries and expenses of the general committee of the Conference was made in Public Act No. 739 (74th Congress) approved June 22, 1936. Neither the Conference nor its General Committee is a government agency in the strict sense, but the Secretary of Commerce will doubtless set up a unit in his office to look after the work.

*Board of Review, Treasury Department.* Created by sec. 906 of the Revenue Act of 1936 (Public Act No. 740, 74th Congress), approved June 22, 1936, to review decisions of the Commissioner of Internal Revenue on claims for refunds of processing taxes collected under the provisions of the Agricultural Adjustment Act declared invalid by the Supreme Court. The Board consists of nine officers or employees of the Treasury Department designated by the Secretary of the Treasury.

*Bureau of Marine Inspection and Navigation.* Public Act No. 622, 74th

[1] In the December, 1933, issue of the Review, pp. 942–955, appeared a tabular review of the changes in major units of the national government between March 4 and November 1, 1933. Supplementary lists have appeared in the following issues: April, 1934: changes between November 1, 1933, and March 15, 1934; October, 1934: changes between March 15 and June 30, 1934; February, 1935: changes between June 30 and December 15, 1934; August, 1935: changes between December 15, 1934, and July 5, 1935; October, 1935; changes between July 5 and August 12, 1935; December, 1935: changes between August 12 and October 15, 1935; June 1936: changes between October 15, 1935, and April 15, 1936.

Congress, approved May 27, 1936, changed name of Bureau of Navigation and Steamboat Inspection to Bureau of Marine Inspection and Navigation. This act also increased the powers of the bureau, and changed its field organization.

*Charles Carroll of Carrollton Bicentenary Commission.* Authorized by Public Resolution No. 106, 74th Congress, approved June 15, 1936, to make adequate preparations for a national celebration of the bicentenary of the birth of Charles Carroll of Carrollton. The Commission is to consist of five members appointed by the President.

*Commission for Commemoration of the Seventy-fifth Anniversary of the Battle of Gettysburg.* Authorized by Public Resolution No. 133, 74th Congress, approved June 24, 1936, to coöperate with a commission appointed by the governor of Pennsylvania. The Commission is to consist of five members appointed by the President.

*Commodities Exchange Commission.* Created by Public Act No. 675, 74th Congress, approved June 15, 1936, with power to fix limits for trading in future deliveries of specified agricultural commodities. This act amends the Grain Futures Act of September 21, 1922 (42 Stat. L., 998), changes the name of the act to Commodity Exchange Act, and extends its provisions to specified agricultural products other than grain. The Commodities Exchange Commission consists of the Secretary of Agriculture, the Secretary of Commerce, and the Attorney-General.

*Director of Grazing.* Created by Public Act No. 827, 74th Congress, approved June 26, 1936, to administer the act of June 28, 1934 (48 Stat. L., 1269) to regulate grazing on the public lands. The act of 1934 placed the administration of the act in the Secretary of the Interior, who established the Division of Grazing Control headed by a Director of Grazing appointed by him. The instant act does not change the supervisory power of the Secretary, but provides that the President "shall have power, with the advice and consent of the Senate, to select a Director of Grazing."

*Federal Alcohol Administration.* Made independent establishment under the direction of three members appointed by the President by and with the advice and consent of the Senate by Title V of Public Act No. 815, 74th Congress, approved June 26, 1936. This unit was originally a board known as Federal Alcohol Control Administration created by Executive Order No. 6474 of December 4, 1933. The act of August 29, 1935 (49 Stat. L., 977) changed the name to Federal Alcohol Administration, and it became a division of the Treasury Department headed by one administrator.

*Federal Fire Council.* Created by Executive Order No. 7397 of June 20, 1936, as an official advisory agency in matters relating to the protection of federal employees and property from fire. Council will consist of one representative from each department, independent establishment, and

the government of the District of Columbia, designated by the head thereof. There is also a governing body consisting of the Director of Procurement, the Quartermaster-General, the Fourth Assistant Postmaster-General, the Chief of the Bureau of Yards and Docks of the Navy Department, the Director of the National Park Service, the Director of the National Bureau of Standards, and the Archivist of the United States.

*Government of the Virgin Islands.* A permanent government for the Virgin Islands is provided for the first time by Public Act No. 749, 74th Congress, approved June 22, 1936. Heretofore the islands have been governed under the temporary act of March 3, 1917 (39 Stat. L., 1132). The new act provides specifically for legislative, executive, and judicial branches of government for the islands, but does not create a territory or provide for a delegate to Congress.

*Marine Boards.* Authorized by Public Act No. 622, 74th Congress, approved May 27, 1936, for the purpose of investigating marine accidents not involving loss of life. The Secretary of Commerce is authorized to classify such accidents. Accidents classified as serious are to be investigated by a marine board appointed by the Secretary of Commerce, and consisting of two principal traveling inspectors and a supervising inspector of the Bureau of Marine Inspection and Navigation. Accidents classified as "less serious" are to be investigated by a marine board consisting of representatives of the Bureau of Marine Inspection and Navigation designated by the Director thereof.

*Marine Casualty Investigation Board or Boards.* Authorized by Public Act No. 622, 74th Congress, approved May 27, 1936, for the purpose of investigating marine casualties involving loss of life. Apparently more than one board may be appointed. A board will consist of an officer or employee of the Department of Justice "learned in maritime law," designated by the Attorney-General, a representative of the Bureau of Marine Inspection and Navigation, designated by the Secretary of Commerce, and an officer of the Coast Guard, designated by the Secretary of the Treasury.

*Office of Federal Coördinator of Transportation.* Discontinued by statutory limitation June 17, 1936.

*Reclamation Projects Commission.* Created by Public Act No. 519, 74th Congress, approved April 14, 1936, "to investigate the financial and economic condition of the various United States reclamation projects, with particular reference to the ability of each such project to make payments of water-right charges without undue burden on the water-users" and any organization liable for such charges. The Commission was to consist of three members, appointed by the Secretary of the Interior, two from the personnel of the Department of the Interior and one a landowner and water-user under a reclamation project. The Commission was to

report to Congress in January, 1937, on a permanent plan for water-right payments, but it has not been organized, as no appropriation was made for its expenses.

*Rural Electrification Administration.* Created as a permanent agency by Public Act No. 605, 74th Congress, approved May 20, 1936. The Administration is authorized to make loans to states, minor civil divisions, and natural and legal persons for the purpose of financing the construction and operation of electric systems in rural areas. All the powers of the Administration are vested in an Administrator appointed by the President by and with the advice and consent of the Senate. The President is authorized to transfer to the Rural Electrification Administration created by this act all the functions of the Rural Electrification Administration created by Executive Order No. 7037 of May 11, 1935. This has presumably been accomplished, but it is not evidenced by any printed record.

*Second Export-Import Bank of Washington, D. C.* Ordered to be dissolved by Executive Order No. 7365 of May 7, 1936, effective June 30, 1936. The bank has already discontinued operation, and has transferred all its existing commitments to the Export-Import Bank of Washington, D. C.

*United States Antietam Celebration Commission.* Created by Public Resolution No. 132, 74th Congress, approved June 24, 1936, to arrange an appropriate celebration of the seventy-fifth anniversary of the battle of Antietam. The Commission will consist of seven members—three persons to be appointed by the President of the United States, two senators to be appointed by the President of the Senate, and two members of the House of Representatives to be appointed by the Speaker.

*United States Delaware Valley Tercentenary Commission.* Created by Public Resolution No. 102, 74th Congress, approved June 5, 1936, to coöperate with the representatives of the states of Delaware and Pennsylvania in observing the three-hundredth anniversary of the settlement of Swedish colonists in Delaware, Pennsylvania, and New Jersey. The Commission is composed of fifteen commissioners—five persons to be appointed by the President of the United States, five members of the Senate to be appointed by the President of the Senate, and five members of the House to be appointed by the Speaker.

*United States Great Lakes Exposition Commission.* Created by Public Resolution No. 84, 74th Congress, approved April 25, 1936, to represent the United States in connection with the Great Lakes Exposition held at Cleveland in 1936. The Commission consists of the Secretaries of State, Agriculture, and Commerce.

*United States Harvard University Tercentenary Commission.* Created by Public Resolution No. 88, 74th Congress, approved May 7, 1936, to coöperate with representatives of Harvard University, the Common-

wealth of Massachusetts, and the cities of Cambridge and Boston in the appropriate observation of the three-hundredth anniversary of the founding of the university. The Commission consists of fifteen members, namely, the President of the United States and four persons appointed by him, the President of the Senate and four members of the Senate appointed by him, and the Speaker of the House of Representatives and four members of the House appointed by him.

*United States Maritime Commission.* Created as an independent establishment by the Merchant Marine Act, 1936 (Public Act No. 835, 74th Congress) approved June 29, 1936, to succeed the United States Shipping Board Bureau of the Department of Commerce created by Executive Order 6166 of June 10, 1933, and its subordinate unit, the United States Shipping Board Merchant Fleet Corporation. All powers vested in the former United States Shipping Board are transferred to the new commission. Ocean mail contracts involving subsidy made by the Postmaster-General in accordance with the provisions of the Merchant Marine Act of 1928 (45 Stat. L., 692) are terminated on June 30, 1937, and in place thereof the Commission is authorized to grant straight construction-differential and operating-differential subsidies. The Merchant Fleet Corporation is dissolved. After two years, the President is authorized to transfer to the Interstate Commerce Commission all regulatory powers and duties of the Commission. The Commission consists of five members appointed by the President by and with the advice and consent of the Senate. In order to stagger the expiration of terms, initial appointments are for two, three, four, five, and six years; thereafter appointments will be for six years.

L. F. SCHMECKEBIER.

*The Brookings Institution.*

## MUNICIPAL AFFAIRS

EDITED BY WILLIAM ANDERSON
*University of Minnesota*

**Local Government in Metropolitan Chicago.** A balance sheet of local government in the metropolitan area of Chicago for the last five years would show that, while certain developments are tending to make government in the area more complicated, some progress has been realized toward simplified local government.

It becomes increasingly evident, for one thing, that non-governmental groups are organizing their work on a metropolitan basis. The Chicago City Manager Committee, for instance, is securing much of its support from people who do business in the city but who live in the suburbs. The Phi Beta Kappa Association of the Chicago Area, which was organized in 1935, has about one-third of its members living outside the city and about a tenth living outside the county. Consumers' coöperative stores in Chicago and suburbs are organized into a Chicago Coöperative Federation which issues a monthly "Chicagoland" paper.

The alacrity with which Chicago's suburbs changed their time to make it agree with official Chicago time when it was moved ahead an hour on March 1, 1936, is a most interesting and convincing demonstration of the interdependence of all parts of the metropolitan area. Official action was taken by about fifty suburbs to make their time coincide with that of Chicago. Practically all of these suburbs are within the commutation zone: 24 are in Cook county, 3 in DuPage county, 7 in Lake county, and about 15 in Lake county, Indiana. The essential unity of the area is shown by the fact that clocks within the commutation zone were set forward one hour regardless of whether the village or city council took any official action in the matter. One leading suburban politician could see no reason for the council of a city just south of Chicago to act one way or the other since the residents of the place would, in any event, have to live according to the time of the central city.

The Cook county portion of the metropolitan area has enjoyed a kind of extra-legal integration of local governmental personnel ever since the victory of the Democrats under Cermak in 1931. Unlike former periods of Republican dominance, practically the entire county was Democratic and, even more important, under Cermak and in the early days of Kelly and Nash there were no strong factions within the Democratic party to dispute with each other and to disintegrate the patronage machine. The result has been the closest approximation thus far in metropolitan Chicago to an integrated system of local government personnel. It is, of course, invisible integration and no claim is made that the system is either efficient or responsible to popular control.[1]

[1] Norman N. Gill, research assistant in political science at the University of Chicago, is now studying personnel in metropolitan Chicago.

One of the most common ways of meeting the inability of small suburbs in a metropolitan area to supply services essential to the functioning of a metropolitan community is for the central city, often at a financial loss, to fill the gap with its own services. Thus Chicago furnishes water to 33 suburbs, some of which are reluctant to pay for it, and inspects cows and dairy farms in five states from which milk is shipped to many of the suburbs as well as Chicago. The recreation and park facilities of the Chicago Park District are freely used by suburbanites. The use by governments of the Chicago area of the radio calls of the Chicago police department has more than doubled in the last four years. In 1932, there were 30 suburban units availing themselves of the calls sent out from Chicago. By 1936, the number had increased to 56 and included the Gary (Indiana) police, the sheriffs of Cook and Lake counties, Illinois, the Illinois state police, and federal police in the area. Forty-six of the units are in Cook county. One-fourth of all Chicago police calls are issued for police outside the city of Chicago, and approximately three-fourths of these outside calls go to Evanston, Oak Park, Cicero, Harvey, and Berwyn. Recently, some of the larger suburban police departments, notably those of Evanston, Oak Park, and Gary, have set up their own transmitting stations. Oak Park, however, has been assigned the same wave band as that of Chicago, which means that the calls from the two police departments are often confused.

As a result of the agitation for simplified government which came out of the early years of the depression and was encouraged by publication of the Merriam, Parratt, and Lepawsky report on government in the Chicago area,[2] the number of independent local governments with jurisdiction within the city of Chicago was reduced from 27 to 6, when on May 1, 1934, 3 major and 19 minor independent park districts were consolidated.[3] The entire city of Chicago, including 11 bits of territory not organized as park districts, voted on the question of consolidating and of bringing the entire area of the city under the jurisdiction of the new district. The proposition was carried by a vote of 507,955 to 174,631. A majority vote for consolidation was obtained in the 3 large park districts, 8 of the smaller districts, and in the "unorganized" remainder of the city. Adverse majorities averaging slightly over 500 each were cast in the remaining 14 small park districts. One reason for the opposition in the small districts was that without consolidation they would be able to use the facilities and personnel of the large districts without having to help support them with their tax money. They were, as a matter of fact, able to get along with inadequate facilities and low standards of service within their

[2] Charles E. Merriam, Spencer D. Parratt, and Albert Lepawsky, *The Government of the Metropolitan Region of Chicago* (Chicago, 1932).

[3] Smith-Hurd, *Illinois Revised Statutes*, 1935, chap. 105, sec. 333.

own petty park districts because of their proximity to the large districts.

The supreme court upheld the consolidation in August, 1934.[4] Between the time of the referendum and the ruling of the court, the commissioners of the superseded districts continued to exercise their powers and duties and the commissioners of the new park district merely ratified whatever was done by them. This was done to avoid the confusion that would attend an adverse ruling of the court. It was held by the court that the legislature has power to abolish or consolidate any municipal corporation at its discretion with or without referring the question to the voters of the territory affected. In the event that the statute requires a referendum before becoming applicable, a separate referendum need not be held in each of the territories of the municipal corporations that are to be dissolved or merged.

This step toward integrated metropolitan government was advocated by the Chicago Bureau of Public Efficiency as early as 1911, when there were only one-half as many park districts. Park consolidation was a significant step toward the integration of local government within the city of Chicago. Prior to consolidation, the South Park District was governed by commissioners appointed by the judges of the circuit court, while the commissioners of West Park and Lincoln Park Districts were appointed by the governor. About 15 per cent of the park area of the city was under the jurisdiction of 19 small park districts, each with an elective board of 7 commissioners. Each of the 22 park districts was a separate municipal corporation with taxing, debt-incurring, and rule-making powers. The new city-wide park district possesses the same legal status, but the 133 elective and 19 appointive park commissioners have been replaced by a board of 5 commissioners appointed by the mayor. There is, then, a closer integration of the policies of park district and city than there could have been when the park commissioners were elected or appointed by governor or judges. The appointive power of the mayor is, however, the only tie between the two coterminous units of government. The city council does not even have the power formally to approve the park budget as it does in the case of the budget of the board of education.

The lack of complete integration of agencies engaged in the function of providing facilities for and promoting public recreation is indicated by the fact that in addition to the activities of the park district, the city department of public works maintains some 80 small parks and 40 playgrounds, while the board of education has jurisdiction over more than 60 playgrounds. In Cook county, outside Chicago, are to be found 34 independent park districts, and here likewise are located over 30,000 acres of forest preserve developed and maintained by a forest preserve district coterminous with Cook county for which the county commission-

[4] People v. Kelly, 357 Ill. 408 (1934).

ers serve as the governing body. In July, 1935, the legislature created the Chicago Exposition Authority with power to build and operate an amusement and exposition park on part of the World's Fair site in Burnham Park, to be leased from the Chicago Park District. The Exposition Authority, which is quiescent, consists of ten commissioners with staggered terms, appointed by the mayor and confirmed by the council.[5]

The post-operative problems that are having to be met by the new park district are the most interesting aspects of consolidation. One of the reasons advanced in favor of consolidation was that the entire city was entitled to the same standard of park service that the South Park District was maintaining. By 1933, the recreation activities of the smaller districts had been practically suspended. Many of the parks were entirely closed. The activities of the West Park and Lincoln Park Districts had been drastically curtailed. The South Park District was in better financial condition because it levied taxes upon the valuable Loop property. The first result of consolidation was, therefore, to make the tax resources of South Park available to the entire area of the city. The immediate problem, however, was to spread a uniform standard of service over the entire area at a time when tax delinquency was high and public revenue was low. It was necessary, therefore, to lower the service standards prevalent in the larger districts (even after depression economies had been effected) in order to spread the available income over the entire consolidated district. Expenditures for personal services for the first quarter of 1935 in some of the parks located in the old South Park District were from 14 to 40 per cent less than the expenditures for the same period in 1932. The spread of uniform service made it necessary to repair and replace equipment in a rather extensive fashion. The item for materials in the budget for 1935 amounted to $126,000, whereas no item for replacements and repairs was thought necessary in the minimum South Park budget for 1933–34.[6]

The second post-operative problem was to consolidate the financial accounts of the superseded districts. This was made difficult by the fact that some of the smaller districts had kept no books, but had relied upon check stubs to furnish a record of cash disbursements. One small district did not even retain the check stubs. "We always called up the bank," declared an ex-commissioner of the district, "before we wrote a check and found what our balance was."[7]

The indebtedness of the superseded districts is the third post-operative problem. The floating debt of the original districts at the time of consolidation amounted to about $2,300,000. Of this amount, approximately

[5] Smith-Hurd, *Ill. Rev. Stats., 1935*, chap. 105, secs. 327v6-v7.

[6] Chicago Park District, *Analysis of Recreation Division Budget, 1935* (7 pages, mimeographed).

[7] *Chicago Tribune*, April 14, 1935.

$1,450,000 represented wage claims against the old districts. R. J. Dunham, president of the Chicago Park District, thinks a large number of these claims are for services never rendered. The consolidation act of 1933 provided that the taxpayers of each of the old park districts should remain liable for the bonded indebtedness of the respective districts. An act of 1935, however, authorized the new Chicago Park District to assume the indebtedness of the superseded park districts and to issue bonds for the purpose of refunding and funding the assumed obligations.[8] A district ordinance was accordingly passed on July 25, 1935, to cover the issuance of $108,675,827 of new bonds. The enabling act was sustained by the supreme court in an opinion which held that the constitutional debt limit does not apply to the assumption of old debts by a consolidated unit of government, since funding and refunding bonds do not constitute additional indebtedness but are merely evidences of existing indebtedness.[9]

The constitutional debt limit of 5 per cent of assessed valuation of taxable property within the jurisdiction of each taxing and debt-incurring unit did not impede park consolidation because none of the old park districts overlapped each other. The debt limit, however, does make consolidation of the park district and the city government rather improbable, since the debt limit of the proposed consolidated unit would be 5 per cent of assessed valuation rather than, as at present, a combined limit of 10 per cent. It may be noted that the total overlapping debt of local governments within the city of Chicago is around 18 per cent of the assessed valuation of the city.[10] The specter of having the actual debt limit reduced to about one-fourth of what it is today is probably the most important single obstacle to the integration of local government within the city of Chicago.

Five of the small park districts lay partly within and partly without the city limits of Chicago. There were no parks or playgrounds within the 12 square miles that lay without the city, and in 1935 the legislature disconnected the territory from the Chicago Park District. The action of the legislature illustrates how the supposed gains of consolidation may be quietly taken away by the legislature after the immediate interest of its proponents has died down. The disconnected territory remains liable, however, for its proportionate share of the indebtedness of the original district to which it belonged.[11] There seems to have been little interest in

[8] Smith-Hurd, *Ill. Rev. Stats., 1935*, chap. 105, secs. 333.29–333.37.

[9] Kocsis v. Chicago Park District, 362 Ill. 24; 198 N.E. 847.

[10] The total bonded debt represents, however, only about 6.5 per cent of the full value of property in Chicago, "assuming that property is assessed in general at 37 per cent of its full value." Bulletin No. 138, February, 1936, Chicago Civic Federation and Bureau of Public Efficiency.

[11] Smith-Hurd, *Ill. Rev. Stats., 1935*, chap. 105, sec. 333.1a.

the question of consolidation on the part of the electors in this territory outside the city limits, for only 939 votes were cast on the proposition in the referendum. At many polling places in this territory, no ballots were cast. The disconnection of this territory makes the Chicago Park District and the city of Chicago coterminous and may facilitate the complete integration of these two municipal corporations. On the whole, though, the action, in which no public interest was taken, is regrettable. For in an area where the unit of recreation development should at least be coterminous with Cook county there has been a paring off of territory of the park district. There is, of course, nothing to keep the residents of the disconnected territory, or of other parts of the area, from continuing to use the facilities of the Chicago Park District.

The mayor and city council of Chicago are authorized by an act passed in 1929 to appoint a transit commission upon the creation and operation of a comprehensive unified local transportation system.[12] If the major portion of such system lies within the city, then the jurisdiction of the transit commission will extend over a metropolitan transit area which is defined to include "the territory within this state lying within 30 miles distant from the nearest point marking corporate limits" of Chicago. Needless to say, the comprehensive unified transportation system has not been effected, and consequently the Chicago metropolitan transit area is yet to be established. Possibly the so-called home rule act of 1935, approved in a referendum of April, 1936, which gives the city council rather broad powers relative to the use of the streets by transit companies, exclusive of the jurisdiction of the Illinois Commerce Commission, may be the means by which the city can force the creation of a comprehensive unified local transit system.[13]

To balance against the instances mentioned above are other proposals —some of which have not gone beyond the point of being discussed and others of which have been enacted into law—that have as their import the further political disintegration of the area. A campaign was initiated in the fall of 1934, for instance, to create a new county out of that part of Cook county north of Chicago. The chief proponents of the scheme seem to have been residents of Evanston and public officials in nearby suburbs. The main arguments advanced for separation were (1) that it would rid the area of the influence of Chicago "hoodlumism," (2) that taxes could be reduced by $400,000 annually due to retention of all tax money within the area of the proposed county, and (3) that such a step was necessary to obviate the ever-present danger of being annexed to

[12] *Ibid.*, chap. 111 2/3, secs. 85–90; chap. 32, sec. 157.4. The act was upheld in People v. City of Chicago, 349 Ill. 304 (1932).

[13] Smith-Hurd, *Ill. Rev. Stats, 1935*, chap. 24, secs., 207a–207g. Ralph Burton, graduate student at the University of Chicago, is now studying transit problems in metropolitan Chicago.

Chicago. Agitation for separation was soon discontinued, supposedly because of the constitutional barrier that requires a new county to contain at least 400 square miles. But it may be surmised that the controlling factors were the inconvenience that would ensue from having to attend to county business at any place other than the Loop and the cost of setting up and maintaining a separate county government.

The bills passed by the legislature in May of this year to provide for the administration of relief after the Illinois Emergency Relief Commission was disbanded on July 1 have unmistakably increased the confusion of local government in the metropolitan area. The purpose of all recent relief legislation has been to substitute the township for the county as the unit of relief administration. The legislature defeated the bills sponsored by Governor Horner to make each of the 102 counties a separate taxing unit for relief purposes.[14] Under recently enacted legislation, relief funds are to consist of one-third of a 3 per cent sales tax and the income from a special township relief tax of 3 mills which must be levied by October 1 if the city of Chicago or any township is to receive any state relief funds.[15] These funds are to be distributed by the city of Chicago and the 165 townships in the Chicago area. The administration of relief funds in Cook county will be divided between the city of Chicago and 30 townships, and outside Chicago the township "overseer of the poor" will again come into his own.

Although the Chicago city council agreed at first to allow the county bureau of public welfare to act as its agent in the matter, it created in August the office of relief commissioner. But only two township supervisors were agreeable to a similar arrangement between the county and their respective townships. A supervisor from Oak Park, the world's largest village,[16] declared: "The townships should administer relief, because we know our own people. If we have to raise the money, we want to spend it, and not one dime will be spent for needless case workers."

The discrepancy in a metropolitan area between the needs and the tax resources of its subdivisions is well illustrated by an analysis of how the 3-mill relief tax will operate. It is estimated that the tax will bring in almost $2,500,000 less than the monthly cost of relief in Chicago. In 17 townships of the county, the 3-mill additional tax will be insufficient to meet the relief needs of the township. In Bloom township, for instance, it is estimated that the tax will bring in only $3,880 monthly, while the relief expenditures for the same period approximate $33,400. On the other

[14] These bills are another instance of the common practice of creating *ad hoc* units to circumvent the constitutional debt limitation.

[15] Senate Bill No. 10, 2nd spec. session, law without approval, May 12, 1936.

[16] The taxable resources of Oak Park township are approximately three times the relief needs of the township.

hand, a full 3-mill levy in New Trier township would net about $12,300 as against an average monthly expenditure of $2,800. There are 12 other townships in the county that belong in this "more fortunate" class. This is an outright reversion to the old poor law system of relief, and will result in the further disintegration of government in the metropolitan area and in the state.

Various short-lived efforts are frequently made to achieve a kind of integration of units concerned with particular functions through informal unofficial coöperation. The most promising of these efforts during the past few years was in the field of police, where, under the encouragement of August Vollmer, several attempts were made to organize the chief law enforcement officers of metropolitan Chicago. Since Vollmer's departure, in 1932, interest has largely died down, but the Regional Association of Chiefs of Police continues to exist and may in time develop into a real professional organization. Probably the best organization of people whose business is the protection of person and property is the Association of Railroad Special Agents and Police which is, of course, composed of non-governmental police. The Chicago office, which serves the states of Wisconsin, Illinois, and Indiana, issues a weekly news-letter to about 2,000 members, over half of whom are within 30 miles of Chicago.[17] An Advisory Council of Research and Information organized by the late superintendent of Chicago schools, and including among its membership school officials from the suburbs of the metropolitan area, has likewise fallen into disuse.

The present situation may be described briefly by saying that the immediate problems of metropolitan government in the Chicago area arise out of (1) the relations of Chicago and its suburbs with Cook county; (2) the relations of Chicago with its larger suburbs, including Gary, East Chicago, and Hammond in another state; (3) the relations of Chicago and/or Cook county with the Sanitary District; (4) the corporate separation of the Board of Education and the city of Chicago;[18] and (5) the corporate separation of the Chicago Park District and the city of Chicago.

A conditioning factor in all of the foregoing relationships, and in the solution of the problems that arise from them, is the relationship of Chicago and the rest of the metropolitan area with downstate Illinois and Indiana.[19]

VICTOR JONES.

*University of Chicago.*

[17] Mr. David G. Monroe, graduate student at the University of Chicago, is completing his study of police administration in metropolitan Chicago.

[18] Mr. John A. Vieg discusses this problem in the study, "The Government of Education in Metropolitan Chicago," which he is now completing.

[19] Albert Lepawsky, *Home Rule for Metropolitan Chicago* (Chicago, 1935).

**Proposals for Governmental Reorganization in the Los Angeles Metropolitan Area.** Governmental studies looking toward the reorganization of present political and administrative arrangements by Los Angeles county and Los Angeles city, respectively, have been a feature of recent months in the metropolitan region of the Pacific Southwest. Three separate reports have been prepared, two of which are before the public. Certain areas of substantial agreement in principle are found in these two reports, and it now appears that by joint agreement some far-reaching changes will be proposed as charter amendments to the Los Angeles county charter. The most significant of these proposals look toward simplification of structural arrangements through reorganization of existing governmental agencies in the county and the establishment of certain centralized agencies of county-wide administration responsible for minimum standards of service throughout the entire area and available for additional service to those local communities which through their local councils order and pay for it. Likewise, the reports agree in recommending the establishment of the county-manager form of administrative organization.

*Report of the Budget Bureau of Los Angeles City.* The first of the three reports, *A Study of Local Government in the Metropolitan Area within the County of Los Angeles*, was prepared for the city of Los Angeles by its bureau of the budget and completed in March, 1935. It was an elaborate analysis of the relations now existing between the city and the other governmental units in this area, including the county, and it presented exhaustive statistical analyses of the fiscal operations of the 44 cities involved. It established the cost to Los Angeles City, amounting to millions of dollars annually, for the extra municipal services now rendered by the county from monies collected in Los Angeles city but expended by county agencies not directly under the control of the municipality. It surveyed the options available to the city in correcting this situation, especially the possibility of separation from the rest of the county and the setting up of a consolidated city and county government in Los Angeles city. Investigation was made also of the logical boundaries of such a consolidated city and county, should separation be deemed desirable.

*The Citizens' Committee on Governmental Reorganization.* In October, 1935, the foregoing report was referred by the mayor of Los Angeles to a Citizens' Committee on Governmental Reorganization. This body had access also to the report of the Committee on Governmental Simplification which is discussed later. The report of the Citizens' Committee on Governmental Reorganization was submitted to the mayor on May 15, 1936, and was transmitted by him to the city council. It suggests that the most efficient step in reorganization would be the consolidation of all the

governmental agencies in the county. This would consolidate the 44 cities and the 412 other taxing bodies now involved in local administration into one city and county of Los Angeles. But the committee recognized that such a solution is impracticable. The next best thing for the city was thought to be the separation of the city of Los Angeles and its assumption of a consolidated city and county form of organization. However, the expediency of this action was also questioned by the committee, and it therefore proposes as a first step the reorganization of county government, a reduction of tax burdens through improved administration and fiscal procedure, and a fair distribution of the tax burden over the entire county so that the city will be relieved of its present disproportionate subsidy to county activities in territory outside the limits of Los Angeles city.

Such reorganization of county government is predicated upon the retention of the present board of supervisors of five members and the establishment of a county manager as the head of county administration. It is proposed that the duties and powers of the board of supervisors be limited to legislative functions. In order to insure a county manager free from the political dominance of the board of supervisors, it is recommended that the heads of the seven universities and colleges within the county select a civil service commission, and that the latter, in turn, conduct competitive examinations of candidates for the county managership. From the examinees, the commission would select three eligibles, one of whom would then be appointed by the board of supervisors.

The major point of friction between the city and county has been the discrimination against Los Angeles city in the distribution of burdens and benefits in the administration of county funds and services. Particularly, sore spots have developed over the allocation of motor vehicle and gasoline taxes remitted by the state to the counties, the cost of health services now rendered by the county on bargain terms to other cities (the difference being paid out of county funds), and the cost and administration of the county surveying department. The report pointed out that state remittances of gasoline taxes should be allocated on a basis of population, but that marked discrimination had characterized the distribution. On a population basis, Los Angeles had received slightly less than half of its proportion, Long Beach less than one third, Pasadena about two-fifths, and even smaller communities such as Beverly Hills, Vernon, and South Pasadena had suffered from the county's failure to adopt a more equitable basis of allocation.

Attention was directed also to the inequities which obtain in the matter of health service costs. It was urged that 36 cities receive county health service at an average per capita charge of 14.7 cents, when the actual cost to the county is 91 cents per capita. Six cities, including Los Angeles,

do not depend upon this service, but their taxpayers have to pay the 76.3 cents per capita of cost not now paid by the communities benefited.

Finally, the committee formulated certain amendments to the county charter embodying its findings and urged that the mayor and city council seek to have the board of supervisors submit these proposed amendments to the voters of the county.

*The Committee on Governmental Simplification.* Contemporaneously with the two studies thus fostered by the city of Los Angeles, a third survey has been conducted by the Committee on Governmental Simplification, a quasi-official body nominated by cities and private groups and appointed and financed by the Los Angeles county board of supervisors. After two and one-half years' work, its report was completed in 1935, and submitted to the board of supervisors; but some informal activity by the committee has been maintained to the present time. This report dealt primarily with organization, duties, and relationships in the local governments of this area. Subcommittees assumed responsibility for such subjects of investigation as general government, finance, law, public works, protection to persons and property, health, charities, education, and recreation. An executive committee and a technical committee guided the intensive activities. Special committee work proceeded as the data became available. Exchange of findings and integration of the work were fostered by the executive committee.

With respect to general government and finance, the substantially unanimous findings of the committee on simplification recommended a board of supervisors of 15 members, three times the present number. This body was to have carefully defined legislative and inquisitional authority and the power to choose a county manager, but was to be denied the power to interfere in administrative activities. A county manager was provided for and the office vested with generous and responsible authority in all matters of administration, including appointments, fiscal control, and the budget, except as elective officials such as the assessor, sheriff, and district attorney might be clothed with authority under state law or county charter. Important changes were recommended in fiscal procedure, and it was proposed to set up an independent audit by an examiner of accounts. Modifications were proposed also in matters of personnel organization and administration. A bureau of budget and research was recommended as a staff agency of the manager. These findings embody basic considerations which were urged for adoption irrespective of what might befall other recommendations in the report.

Other findings of the committee dealt with the question of what governmental services are common problems of the metropolitan area (in this report defined as the county of Los Angeles), and whether they should be commonly administered. Thus the county's public works program

should be reorganized so as to secure administrative efficiency and invite confidence in and dependence on its activities. Six divisions were suggested: water and sanitation, storm drainage, surveying and mapping, roads and highways, public property, and mechanical equipment. Present county library administration was found to be an excellent example of centralized activity furnishing standardized services, and it was proposed, subject to special contracts covering the cost thereof, that added services and facilities be made available to local communities arranging therefor. Control of administrative policies of all state-law-required basic health services, it was agreed, should be centralized in one metropolitan agency, the county, and, preferably, such basic services should be administered by the central agency; and all extra services which any city or district might desire from such agency should be furnished at cost.

The simplification committee further proposed that the sheriff's department should ultimately be made the agency in which to centralize the police administration of the metropolitan area. It was suggested that cities be permitted, but not forced, to delegate their police administration to such a police agency. Present municipal police might be incorporated in this new organization, and enforcement of local ordinances and special services were proposed to be undertaken, subject to payment for the expanded police activities.

Cities desiring to employ the services of the county civil service commission in recruiting personnel were found to have authority to engage such services at the present time. It was recommended that the county planning facilities and technical planning staff be similarly utilized on a contractual basis, and that through a service charge the county purchasing department should care for the purchasing needs of local governments.

In all these proposals, the committee specifically insisted on local autonomy and self-determination as to the use or non-use of centralized administrative facilities and insisted that in all special contracts there shall be no subsidizing of extra services to localities at general county expense.

Thus the committee dealt with its two major problems: to modernize an obsolete governmental machine, and to care for the changes involved in administrative consolidation. For it soon became evident that the existing county government is neither designed nor equipped to deal with the metropolitan problems now facing it and over some of which it has gradually and logically assumed jurisdiction. It must be reorganized before additional functions can be imposed on it. Of equal significance was the evident measure of local pride and regard for autonomy on the part of the several communities which made it desirable to find some solution of the need for county-wide activity, especially in administration, that would be acceptable to these communities.

The general principles underlying the committee's governmental and financial recommendations were formulated as follows: (1) a legislative body large enough to be representative of different groups and sections, with policy-determining and legislative functions only; (2) a county manager charged with directing, coördinating, planning, and controlling the administrative activities; (3) the short ballot—the election of only those officials who determine major matters of policy; (4) adequate staff agencies—a trained technical staff to gather information, conduct research, and assist the county manager in fiscal planning, physical planning, and personnel administration; (5) integrated financial administration, with recognition of the importance and interdependence of budgeting, accounting, purchasing, and treasury management; (6) the independent audit, emphasizing the distinction between accounting and auditing, the former to be set up under the control of the county manager, the latter to be independent of the administration and responsible to the legislative body; (7) coördination of personnel management with the administrative services under the control of the county manager, with an advisory personnel commission for rule-making, investigations, and hearings; (8) grouping of the administrative services of the county into departments according to their major purpose or function; lines of responsibility should run from the departments to the county manager and from him to the board of supervisors; (9) an administrative code—to contain details of administrative organization and procedure; and (10) adequate reporting of governmental activities to the citizens.

For various reasons, these principles were not always rigidly applied in the final draft of the report. Certain officers, including the sheriff, the assessor, and members of the judiciary, remain in the elective group. But in the main the report follows the lines of recent experience in developing sound organizational and financial arrangements. It also called the attention of the supervisors and the electorate to certain immediate steps that might be taken without charter revision, and some of these have already been adopted. The number of townships has been cut in half; the many agencies exercising jurisdiction over public works have been brought together in a temporary association pending charter authorization for their consolidation in the proposed department of public works; and the bureau of efficiency, placed by charter in the civil service commission, has been segregated and established by recent ordinance as a staff agency by the board of supervisors under the title of "Department of Budget and Research."

*Recent Developments.*

The chairman of the board of supervisors, on May 16 last, announced his intention of supporting a charter amendment for a county manager under a nine-member board, eight to be elected from supervisorial districts

identical with the present eight congressional districts in the county and one, the chairman, to be elected at large. "This board of nine members would serve strictly as a legislative and quasi-judicial body."

Until recently, developments pointed to a vote on charter amendments in November. Under home-rule status, Los Angeles county is in a favorable position to solve some of the problems arising out of rapid urbanization. Certain constitutional changes may ultimately be desirable, but the major steps can be decided upon locally. This is also facilitated by the fact that no other counties or states are involved in this metropolitan region, and thus many of the complexities which bedevil some other metropolitan areas are absent. Under these circumstances, if the various local jurisdictions involved can agree on what ought to be done, submission to the voters can proceed promptly.

Such agreement is now being sought. Following a recent gathering of municipal officials from many of the cities and representative citizens for the purpose of reviewing the findings of the Committee on Governmental Simplification, and after the report of the Citizens' Committee on Governmental Reorganization, representatives of these two committees have held joint sessions to define the areas of agreement and draft charter amendments for governmental change. The board of supervisors has agreed to submit such proposals to the voters.

As a result of the joint meetings held during the summer, certain resolutions and tentative amendments have been agreed upon, and copies have been sent to the supervisors, the mayors of the incorporated cities of the county, and to presidents of chambers of commerce of the unincorporated areas of the county. A conference of these groups and of other interested citizens was held on the proposed amendments on August 27, at which time was consummated final agreement on the proposals. The following is a résumé of the four propositions as tentatively drafted. They will involve changes in 26 sections of the present county charter:

I. **Governmental structure—the manager plan**

Elective Officers: Five 3upervisors, district attorney, sheriff, and assessor.

Board of Supervisors: Four-year term, salary $5,000; duties legislative only, appointment of manager from list certified by civil service commission, power to remove manager by four-fifths vote, appoint examiner of accounts, confirm manager's appointment or removal of county counsel, appoint members of unpaid advisory boards, adopt annual budget, fix salaries of all county employees, and exercise all powers not specifically given to others by charter or statute.

County Manager: Seven-year term, salary fixed by board of supervisors at not less than the highest county salary; appointed by board of supervisors; duties those of chief administrative officer; advises board of supervisors; appoints, removes and transfers, subject to civil service provisions, officers and employees under him; also to consolidate administrative duties and functions in county service, to recommend pay and working

schedules to board of supervisors, to establish rules of administrative procedure, and to prepare the annual budget.

Examiner of Accounts: Seven-year term, salary fixed by board of supervisors, appointed by board of supervisors and exempt from civil service, but his employees subject to civil service; duties are to conduct continuous audit of all county accounts, to investigate fiscal affairs, to report to the board of supervisors, the controller, the manager, and the grand jury; an appropriation of not less than one-fifth cent per one hundred dollars of assessed valuation to be available for the support of the office of examiner of accounts.

Controller: appointed by the manager; duties the same as the present auditor; the change in name is to distinguish his duties from the auditing duties of the examiner of accounts. State law provides for continuation of an office of auditor, and this the controller will hold ex-officio.

Civil Service: a commission of three serving six-year staggered terms; appointed by board of supervisors from a list of five who have been certified to the supervisors by a certification board consisting of the heads of the seven universities and colleges in the county. The civil service commission's duties are to adopt rules, conduct hearings on charges and dismissals, and to investigate and record the individual efficiency of employees. Commission members receive a ten-dollar per diem for not to exceed five meetings a month. A personnel director is the executive officer of the commission; he acts as secretary and chief examiner, recommends rules and modifications thereof, and administers the efficiency ratings.

**II. Fiscal and budget procedure**

Proposed revision in the form of amendments call for the adoption of the budget and of the necessary appropriation and salary ordinances by June first. The manager prepares and presents the budget, assisted by the director of budget and research. The controller, an appointee of the manager, drafts the appropriation ordinance, and when adopted this constitutes his authority to set up the required revenue and expenditure accounts. No subsequent appropriations may be authorized by the board of supervisors except as the controller may certify that proper and sufficient funds are available to meet them. No obligations involving the expenditure of money are valid except the controller first certify a valid appropriation and sufficient unencumbered funds therefor, and all obligations, ordinances, resolutions, or orders adopted contrary to these provisions for certification by the controller are declared void and any claims or demands against the county based thereon are to be invalid.

In addition to formal limitation of encumbrances on appropriated funds and payments therefrom and to limiting the liability of the county where established procedure is violated, the director of budget and research is empowered to make budget investigations, to inquire into administrative methods and operations, and to recommend improvements for efficiency and economy.

**III. Gasoline tax allocations**

Seventy-five per cent of all monies received by the county from the state to be used for construction and maintenance of roads, bridges, and culverts shall be allocated by the supervisors to the incorporated cities and to the unincorporated area of the county on a population basis.

The remaining twenty-five per cent shall be expended by the board of supervisors within the incorporated cities and the unincorporated area of the county in a manner which in the judgment of the board will produce the most beneficial results for the county as a whole.

**IV. Equalization of burdens and benefits**

Each incorporated city, and the unincorporated area of the county, for the purpose of enabling the county by county officers to assume and discharge municipal functions when duly authorized by general law or by municipal charter, is designated as a separate equalization district.

County services not rendered or performed in such equalization districts in approximately the same degree, or not performed essentially for the benefit of all such districts, shall be paid for by such districts severally at the cost of the service rendered or shall not be performed in a district unless and until it shall first enter into a contract with the county to pay to the county the cost thereof.

The foregoing represents the significant areas of agreement reached thus far. Protests arise from unincorporated areas which now enjoy municipal services at county expense. There are stakes of power and prestige as well as of subsidy and privilege still to be resolved. Yet the pressure of events during recent years has made it increasingly difficult to fail of agreement, at least among those who as committee members have faced the problems—made more acute by the forces of depression and retrenchment. What the voters will accept or approve of, no one can be sure. It seems assured that in time they will have important decisions to make, though on September 15, by a divided vote, the board of supervisors declined to submit the proposed amendments at the November election. There is the possibility of the initiative. Also, on September 18, the Los Angeles city Citizens' Committee on Governmental Reorganization recommended to the mayor that a separate city-county government be set up for Los Angeles city.

RUSSELL M. STORY.

*Pomona College.*

**Metropolitan Government in Cincinnati.** In the approaching national election, one of the paramount issues seems to be the problem of adjusting our governmental structure to permit the consideration of economic and social questions by political agencies of appropriate size. The powers of government should be as broad as the problems with which they must deal. But this truth is equally applicable to affairs which, traditionally, have been of municipal concern. The area of the city's influence has been widening and the centrifugal forces have had too great speed and volume to permit solution by the earlier method of enlarging city boundaries to encompass urban areas.

The typical large city is less a unit than a center about which cluster many political structures. Although organized to meet the needs of earlier

days, those satellite cities are now dependent upon the central community, which in turn owes its strength in a large measure to them. Such a city is Cincinnati. Its size and importance are not measured by the area, population, wealth, or cultural factors within its governmental boundaries.

Metropolitan areas are not easily delimited. Population density and the presence of contiguous civil divisions were criteria used in the last census for statistical purposes. But it is obvious that a great city is the center of a much larger economic community than the municipality itself with its immediately adjacent territory. As early as the 70's, Cincinnati built—and it still owns—a steam railroad extending across the neighboring state of Kentucky into Chattanooga, Tennessee, in order to maintain the position she felt was hers by virtue of her location "at the gateway of the South."

A recent study of the Cincinnati Bureau of Governmental Research which was instituted to learn the natural limits of the metropolitan district, and which included such factors as population, residence of city workers, traffic density, delivery areas, utility services, switching areas for the railways, social service districts, and property valuations, establishes the region of metropolitan Cincinnati to include Hamilton county, Ohio, and Kenton and Campbell counties, Kentucky. The Regional Crime Committee fixes its boundaries to embrace four Ohio and two Kentucky counties. The cultural areas are still larger than the economic ones.

To secure unified governmental authority to deal with problems which extend over a wide territory, two methods have been employed: (1) coöperation of the existing governmental bodies, and (2) the formation of larger governmental units, with boundaries coinciding more closely with those of the economic and social community. The former is the only possible way when the metropolitan area extends across state lines; although it becomes almost impracticable when dealing with subdivisions of different states.

The coöperating method of unifying the political subdivisions of the region has been used a good many years, particularly between the city of Cincinnati, the Cincinnati school district, and Hamilton county. These three governmental units are by far the largest in the metropolitan district. State laws have for years operated to facilitate certain types of joint enterprises. The county assessor appraises and the county treasurer collects all property taxes, and the county budget commission fixes the rates for all taxing districts within the county. While the county prosecutor is the legal adviser of the rural school districts, the city solicitors act for the city school boards. The municipal civil service, and sinking fund commissions, also act for the school districts. Some eight years ago, the county commissioners joined with the city in the employment of a welfare director who correlated miscellaneous welfare functions of the

county and at the same time established a closer working arrangement with the city of Cincinnati.

The city of Cincinnati furnishes water under contract to adjacent municipalities, and to unincorporated areas through agreements with the county commissioners. The county has constructed certain sewer lines serving outlying sections. The regional plan, which is essentially a county plan, is administered by the same official who has charge of the plan of the city of Cincinnati. The Regional Planning Commission is composed of the county commissioners and two members from each of the 15 city or village planning commissions in the county.

A coördinated bond program has been maintained for a good many years. Its purpose is to plan the submission of bonds by the city, school district, and county in such a way that immediate needs can be considered first and the charge on the taxpayers may be kept at a fairly normal rate. Needs for the ensuing five years are projected and agreed upon by the governments concerned. The association is only a voluntary one, but its decisions have been respected.

Some years ago, a committee on coördination and coöperation in Hamilton county was formed to study the possibilities of greater economy and efficiency by joint action. It was given something of an official character by resolutions of the three governing units concerned, designating respectively the city manager, the president of the Cincinnati school district, and the president of the board of county commissioners to form the committee. The immediate reason for this action was the prospect of financial assistance from private sources if such a body were formed. But there was the precedent of the coördinating bond program. There was also hope that such material savings as had been made by the joint purchase of coal might be realized in the conduct of other activities. An employment center supported by the city, the state, the federal government, and partially by grants from non-governmental sources, was one of the fruits of this committee. The committee has been useful, too, in providing meetings for the consideration of issues which affect the three largest governments.

Judged by the size of the area concerned, the Regional Crime Committee is the most important coöperative metropolitan activity. It embraces four Ohio and two Kentucky counties. In these, there are 51 townships, 12 cities, and 65 villages. This body is privately organized and financed, but it has succeeded in securing better police coöperation in the region. The Cincinnati police radio functions over the area, and is used even by the adjacent Kentucky cities to control their own forces. The Cincinnati police training school is used to a certain extent to train the officers in near-by communities, and better criminal records and means of identification have been installed.

While much has been done by voluntary joint action, it is obvious that only a government structure extending over the whole range of the problems can act effectively. The Kentucky section must be excluded for lack of jurisdiction, and so the most practical unit of metropolitan government in this area is Hamilton county. Consequently, last year those who had labored for better government in the community sought to take advantage of a recent amendment to the Ohio constitution permitting counties to pass home rule charters. A charter commission was elected in November, 1934, and a charter was drafted and submitted.

The attempt at unification through a county home rule charter was the culmination of several years of effort to provide a better structure for metropolitan government in Ohio. True, it establishes the county as the basis for the regions—an area too small in the case of Cleveland and perhaps too large in some of the other communities, such as Toledo, Columbus, Youngstown, and Dayton. In Hamilton county, as indicated by the bureau study, these limits were fairly suitable. After several legislatures had refused to submit the county amendment, its sponsors put it on the ballot by petition and waged a successful campaign for its adoption.

As usual, the plan of metropolitan government proposed was fought by the smaller communities around the larger cities, which feared the loss of authority to their more powerful neighbors. The plan of procedure favored in Cincinnati was to conciliate these smaller cities and villages by taking from them only such powers as they were willing to relinquish. The first step toward such a program must be the reorganization of the form of county government to avoid the present extreme decentralization and to create machinery capable of administering metropolitan government. If the county were in competent hands, the municipal corporations in the county might transfer by agreement many of their activities. In Cleveland, however, many felt that the desires of the suburbs might have to yield to the needs of the district as a whole, and they were more interested in establishing the county as a municipal corporation with municipal powers. The constitutional amendment permitted the vesting of municipal powers in the county either under the original county charter or under an amendment upon the approval of "a majority of those voting therein (1) in the county, (2) in the largest municipality, (3) in the county outside such municipality, and (4) in each of a majority of the combined total of municipalities and townships in the county."

The composition of the Hamilton county charter commission was somewhat unfortunate. The constitutional necessity for representation of outlying communities, the resignation of two members to accept judicial positions and the resulting division of the commission into almost equal factions, and the lack of ability to function as a deliberative body not only influenced the draft but militated against its acceptance by

the electors. The county charter was defeated in the election of last November.

Had it been adopted, it would undoubtedly have given the county, under a county-manager, a unified administration, a centralized financial office, central purchasing, a well organized welfare division, and a merit system. It would not have disturbed the school districts, which are even now moving toward greater consolidation under existing statutes. It would have disturbed no municipality without its consent; though there was great hope that, by agreement, many functions might be transferred to the county, since the latter would be well organized to conduct them.

The constitutional authority to adopt a home rule charter is the same for Hamilton county as it is for the other counties of Ohio. In the general election of 1934, attempts were made in eight counties to elect charter commissions, but these elections were successful in only four—Hamilton (Cincinnati), Cuyahoga (Cleveland), Lucas (Toledo), and Mahoning (Youngstown). Of the four charters submitted for adoption in 1935, the charter for Cuyahoga was the only one to get a majority vote in the county, and the supreme court has ruled that this charter failed of adoption because it vested municipal powers in the county and did not receive the four majorities which the constitution requires for such a charter.[1]

In the Cuyahoga charter commission, counsel was divided for a time on the issue of taking municipal powers in the charter. Professor Earl L. Shoup, who acted as secretary to the commission, filed a strong argument against the submission of a charter which would require the four majorities. The commission submitted a charter which it believed could be adopted by a majority vote in the county, and the decision of the court that this proposed charter attempted to confer municipal powers was a bitter disappointment. The case has been discussed by Professor Shoup in this REVIEW. He takes the position that no home rule charter can now be adopted in Ohio, since no charter can be written which avoids taking municipal powers, as these are understood by the court, and the majorities needed for a charter with municipal powers are impossible to secure.[2]

While the decision under discussion is unfortunate, the case does not seem to close the door to the adoption of county charters by majority vote providing the charter does not take municipal powers. Nor is it necessary to take these by charter, as there are other sources, namely, the constitution and statutes and powers taken under contract. The Cuyahoga commission evidently believed that powers already exercised by counties were not municipal, or that at any rate they were powers which could be vested in the county and its officers by the charter. It is

[1] State *ex rel* Howland, Relator, v. Krause, 130 Ohio State 455.

[2] See this REVIEW, Vol. 30, p. 540 (June, 1936).

probable that the Hamilton county charter draft which merely provided for the exercise of powers conferred now or hereafter by law would have had a good chance of approval. The proposed charters of Lucas and Mahoning counties were similar in this respect.

With the law as vague as it has been left by this decision, the greatest difficulty now will lie in arousing sufficient interest to win the two elections needed and to get a proper charter drafted. In Cincinnati, the forces opposed to the county charter were those which had opposed the charter of the city of Cincinnati, and the issues raised were practically the same. The most vigorous attack on the charter was because it provided for a non-partisan ballot and threatened the county patronage, which, it was asserted, fed the great national parties and consequently helped to maintain the two-party system in our national affairs. Secondary grounds of criticism lay in the establishment of a county manager instead of an elected executive, and in the failure to maintain the elective system in choosing other officers.

But the debates over the adoption of the constitutional amendment, and latterly over the adoption of charters, have had educational influence, particularly in the larger urban areas; and there is little doubt that as the increasing complexity of administering these municipal regions through the numerous governmental units becomes more apparent, renewed efforts to establish metropolitan government in the more populous districts of the state will prove successful.

S. Gale Lowrie.

*University of Cincinnati.*

**The Summer Schools and Other Educational Activities of British Socialist Groups.*** The summer school, it is generally conceded, is an American invention. It was at Chautauqua, New York, beginning in 1873, that the essential elements of a summer school were first combined in one institution.[1] Originally a Methodist camp meeting, the "Chautauqua" became an assembly for serious educational effort and for refreshing the intellectual interests of its members. But the recreational needs of the thousands of people who each summer flocked to Chautauqua were not forgotten, and organized recreational facilities were from the first an integral part of the movement. Thus the summer school, with its central idea of study in a vacational atmosphere, was born and started on a career during the course of which it has profoundly affected other institutions, such as churches, universities, agencies for adult education, and political parties.

The Chautauqua directly influenced the first important summer school in Great Britain, namely, the annual summer meetings of University Extension students, the first one of which on a large scale was held at Oxford in 1888.[2] These meetings are designed to bring together many students from the different University Extension centers, to give them a taste of life in a university community, and to allow for the exchange of ideas among the students themselves. The students assembled in the summer meetings are offered a course of lectures on general educational subjects. There have been few opportunities for classwork and discussion by the students. Since 1895, the University Extension summer meetings have been held in alternate years in Oxford and Cambridge. In 1910, a different kind of summer school for University Extension students was initiated.[3] In these schools, provision is made for a much smaller number of students, and the educational work is intensive, rather than extensive as in the summer meetings. In the summer schools, the student is re-

* This article is based mainly on research and observation in Great Britain as a fellow of the Social Science Research Council. Grateful acknowledgement is hereby made of the financial assistance received from this source.

[1] John S. Noffsinger, *Correspondence Schools, Lyceums, Chautauquas* (*Studies in Adult Education*, New York, Macmillan, 1926), pp. 107-128.

[2] On the University Extension summer meetings, see William H. Draper, *University Extension: A Survey of Fifty Years, 1873–1923* (Cambridge, University Press, 1923), pp. 46–63; and *Final Report of the Adult Education Committee* (Sessional Papers, 1919, Vol. XXVIII, Cmd. 321), pp. 189–190. For acknowledgements of the American inspiration of these meetings, see Draper, *loc. cit.;* Alice Thompson, "The University Extension Movement," in *Cambridge Essays on Adult Education* (edited by R. St. John Parry, Cambridge, University Press, 1920), pp. 155–180, at p. 164; and S. K. R., writing in the *New Statesman*, Vol. 1, No. 11 (June 21, 1913).

[3] *Final Report of the Adult Education Committee*, pp. 161–162, 200.

quired to follow a course of reading, to prepare at least one essay a week, and to spend an average of twenty hours a week in classes or with his tutor. Many summer schools of this character are held in universities and colleges throughout the United Kingdom.

Once imported and popularized by the University Extension movement, the summer school idea was rapidly adopted by a large number of other institutions. The annual summer assemblies of the National Home-Reading Union were started almost as early as the University Extension summer meetings, i.e., in 1889.[4] The Society of Friends held its first summer school in 1897. In the same year, the Adult School Movement began its practice of organizing coöperative vacations combined with study, and the first of its many guest houses was established early in the present century.[5] The first summer school, properly so-called, of the Adult School Movement was one for women only, held at one of the guest houses in 1910. Since then, many summer schools for both men and women have been held, all organized according to a common plan. A course of lectures is given in the mornings by resident lecturers; the afternoons are given over to outdoor sports, excursions, and the like; and the evenings are occupied with lectures of a popular sort, concerts, dances, amateur dramatics, and other similar entertainments.

The summer schools of the Workers' Educational Association were a direct outgrowth of the University Extension summer meetings.[6] From the first, many W.E.A. students attended these meetings, and they early formed themselves into a special group. The W.E.A. students were dissatisfied with the plan of organization of the Extension meetings, wishing opportunities for questions and discussion after the lectures and for more intensive study. The first separate summer school of the W.E.A. was held at Oxford in 1910, and since then a number of other schools have been established in different parts of Great Britain. The summer schools of the W.E.A. are serious affairs, the instruction being mostly tutorial in character.

It is impossible to enumerate all of the different societies and organizations in Great Britain which regularly hold summer schools. The summer school idea had become very popular before the World War;[7] during the

[4] *Official Guide to the National Home-Reading Union Chester Assembly* (Chester, Phillipson and Golder, 1896), 64 pp. with a map. This was the eighth summer assembly of this organization.

[5] G. Currie Martin, *The Adult School Movement: Its Origin and Development* (London, National Adult School Union, 1924), pp. 282–296.

[6] T. W. Price, *The Story of the Workers' Educational Association from 1903 to 1924* (London, Labor Publishing Company, 1924), pp. 48–51.

[7] *New Statesman* as cited in note 2; remarks of Sir Alfred Davies as reported in the *Manchester Guardian Weekly*, August 8, 1922.

war years the movement was checked,[8] but in post-war years it has undergone an enormous expansion.[9] Among the non-political organizations which hold summer schools, besides those already mentioned, are the English Folk Dance Society, the Anglo-Catholic Congress,[10] the Welsh Library Association, the Society for Old Testament Study, and the Federation of British Music Industries. The economic and industrial organizations include especially the Trades Union Congress[11] and the coöperative societies. Among the political, but non-partisan, organizations which have most heartily adopted the summer school are the National Union of Societies for Equal Citizenship[12] and the League of Nations Union. The Fabian Society and the Independent Labor party were the only partisan organizations which took up the summer school idea in the pre-war period, and since the World War the major political parties have been affected.

The credit for originating the political summer school in Great Britain belongs to the Fabian Society, which has been the author of so many practices and features of organization later adopted by the major parties.[13] There is plenty of precedent for the Fabian Summer School in the British adult education movement, but it is probable that in this respect the early Fabians were also indebted to the German Social Democratic party. From at least as early as 1891, the German Socialists carried on an ambitious program of educational activities, consisting in the main of courses of lectures. The party was not content to instruct its followers in Socialist doctrine and economic subjects, but made itself the bearer of general culture to the masses by organizing concerts, dramatic presentations, and lectures on art, philosophy, and science. In 1906, the

[8] For example, six summer schools of the W. E. A. were established before the War, but only two of these were kept open during the War. See Price, *op. cit.*, pp. 74–76.

[9] See the series entitled *Holiday Courses in Europe*, compiled by the League of Nations Institute of Intellectual Coöperation, and published since 1928. In this series, the following numbers of summer schools of university rank in the British Isles are listed: 1928, 17; 1929, 20; 1930, 17; 1931, 21; 1932, 19; 1933, 32; 1934, 41; 1935, 41; 1936, 35. See also the *London Times*, July 26, 1926.

[10] *Towards a Catholic Standard of Life* (London, Society of SS. Peter and Paul, 1926), 86 pp.; *The Social Teaching of the Sacraments* (same, 1927); *Catholicism and Property* (same, 1928).

[11] A. S. Firth, "The T. U. C. Summer School," *Labor Magazine*, Vol. 8, No. 4 (August, 1929).

[12] See the annual reports of this society, 1919 and following; *Woman's Leader, passim; London Times*, February 5, 1929.

[13] The most important contribution of the Fabian Society to the practices of the modern political party is the idea of basing a policy upon coöperative research, together with the organization of a research bureau. The Fabians may also be credited with the first use for political purposes of summer schools, circulating libraries, correspondence courses, speakers' classes, tutorial classes, and regular courses of public lectures.

German Social Democrats thoroughly reorganized their educational scheme by placing a series of committees in charge of it, and by establishing a residential college for the purpose of training a selected group of students as party organizers.[14] In the following year, the first Fabian Summer School was held, and the coincidence in time alone suggests a connection between the events. It is, however, well known that there were many friendly contacts at this time between British and German Socialists, and there were probably many instances of mutual inspiration.

The Fabians had in fact already ventured into the educational field before the establishment of the summer school. From the time of its foundation in 1883, one of the principal activities of the Society was the publication and distribution of literature, by no means all of which was of a propagandist nature. Thousands of copies of *Fabian Essays in Socialism* were sold, and throughout the 1890's the circulation of *Fabian Tracts* was maintained at well over 100,000 a year.[15] In the early years of the twentieth century, the Fabians tried an experiment of sending free packets of their *Tracts* to university graduates, borough and county councilors, trade-union officials, and others whom they were anxious to influence.[16] Another early activity of the Fabians was their lecture work. The lecturers were members of the Society who volunteered for the service. In less than ten years from the establishment of the Society, a lecturing staff of over 100 members was recruited and from 1,000 to 3,300 lectures were being given annually. A vast expansion of the educational work of the Society was made possible in 1894 by a bequest known as the Hutchinson Fund and administered by members of the Society who were named as trustees. A part of this bequest was used by the trustees to found the London School of Economics and Political Science, and the remainder was used to finance a ten-year program of lectures on economic subjects.[17] Provisions for courses of public lectures is still an important branch of Fabian activity.

In 1892, the Fabian Society began an interesting, but short-lived, ex-

[14] On the educational activities of the German Social Democratic party, see W. Stephen Sanders, "The Socialist Movement in Germany," *Fabian Tract*, No. 169 (February, 1913), p. 21; E. B. Lloyd, "Socialist Education in Germany: Remarkable Work of the Party," *Labor Leader*, March 19, 1914; B. D. Allinson, "Labor Education in Germany: Establishment of Workers' Schools with Revolutionary Curricula," *ibid.*, August 11, 1921; *Final Report of the Adult Education Committee*, p. 369; and the annual reports of the party (*Protokoll über die Verdhandlungen des Parteitages der Sozialdemokratischen Partei Deutschlands*), especially that of 1907 (pp. 16, 90–102), and that of 1908 (pp. 57–58, 87 *seq.*).

[15] See the annual reports of the Fabian Society.

[16] *Nineteenth Annual Report of the Work of the Fabian Society for the Year Ending March 31, 1902*, pp. 8–9; *Twenty-first Annual Report . . . 1904*, p. 8.

[17] See generally the annual reports of the Fabian Society and Edward R. Pease, *The History of the Fabian Society* (2nd ed., London, Allen and Unwin, 1925), pp. 123–125.

periment in political education by means of correspondence courses.[18] Courses in elementary economics, history of the working classes, history and theory of trade unionism, and local government were prepared by learned members of the Society, and students were registered at a nominal fee. Each course consisted of from six to eight lessons. The students were provided with lesson sheets containing hints and directions for reading and questions to be answered. The instructors corrected and annotated the students' essays. Of the different courses, the first-named proved the most popular, but in all the courses it was found that, while some hundreds of students made a beginning, very few had the hardihood to complete the work. In 1900, the correspondence work was abandoned, in view of the establishment of similar courses by Ruskin College.[19] An accompanying development, which proved permanent, was the provision by the Fabian Society of a circulating library in the form of "book boxes." In the first year of the experiment with correspondence instruction, it was found that students in outlying places had trouble in obtaining reference books. This difficulty was met at the time by preparing five boxes of twenty-five books each, which were loaned to local Fabian societies for periods of three months upon the payment of a small subscription fee. This plan proved very popular, and the number of book boxes had to be increased rapidly. In the fifth year of the service, nearly a hundred boxes were provided, and this number was more than doubled in another ten years. After the abandonment of the correspondence courses, and as the local branches of the Society died out, subscriptions to the book boxes were offered to any working-class organization. Until 1907, coöperative societies formed the largest class of subscribers, after which the local branches of the Independent Labor party took the lead.[20]

The Fabian Summer School had a semi-independent origin in that the chief responsibility for its organization and management during the first four years of its existence was taken by a volunteer committee of a half-dozen members.[21] This committee, of which Dr. F. Lawson Dodds was

[18] See the annual reports of the Fabian Society, from the tenth (1893) to the eighteenth (1901), and Pease, *op. cit.*, pp. 125–126. The writer has seen some of the prospectuses of the correspondence courses. On the early history of correspondence study, see Noffsinger, *op. cit.*, pp. 3–11.

[19] *Eighteenth Annual Report . . . 1901*, p. 12.

[20] Pease, *op. cit.*, pp. 120–121; *Tenth Annual Report . . . 1893*, p. 11; *Twentieth Annual Report . . . 1903*, p. 10; *Twenty-first Annual Report . . . 1904*, pp. 4–5; *Twenty-fifth Annual Report . . . 1908*, p. 13. The idea of circulating book boxes was quickly taken up by agencies of the old parties—the National Liberal Club for the Liberal party and the Association of Conservative Clubs for the Conservative party. See M. Ostrogorski, *Democracy and the Organization of Political Parties* (London and New York, Macmillan, 1902), Vol. 1, p. 409n.

[21] On the Fabian Summer School generally, see Pease, *op. cit.*, pp. 199–202; the annual reports of the Society, beginning with the twenty-fifth (1908); *Fabian News*,

chairman and leading spirit, raised a loan and a guarantee fund and leased a large country house in North Wales. Each year this house was opened for about six weeks in August and September, and a week or two at Easter. Members of the Society, and other Socialists, were invited to spend their holidays there at a charge calculated to pay all the expenses of upkeep. Lectures and recreational activities were arranged, and all members were expected to participate in the discussions and debates. During the first four years, over 1,000 persons, including many foreign visitors, attended the Fabian Summer Schools, each staying in residence a week or two weeks at a time. The receipts from the fees of the guests were sufficient to pay all the debts and current charges, leaving a surplus of about £100. Upon the close of the fourth summer school in 1910, the organizing committee resigned to the Society the cash balance and the management of the school. Thenceforth it has been officially an activity of the Society.[22]

In 1911, the summer school was held in Switzerland, and the holiday spirit took precedence over study.[23] The next year a new guest house in the lake country was opened, which housed the school through 1915.[24] Since then, temporary quarters have been found in various holiday resorts and private-school buildings. The Fabian Summer School was not interrupted by the World War; in fact, one of the most successful sessions in the history of the school was held in 1917 when it was brought close to London.[25]

The purpose of the Fabian Summer School was originally stated to be "the study of social science and to afford to students, whether avowed Socialists or not, an opportunity for meeting and social intercourse."[26] Later, the purpose was stated more fully as follows: "The aim of the school is to bring together workers in the various grades of social and Socialist work for mutual intercourse, and to afford opportunities for

beginning with Vol. 17, No. 4 (March, 1907); and the prospectuses of the annual sessions of the school. On the semi-independent origin of the school, see Pease, *op. cit.*, p. 199.

[22] *Fabian News*, Vol. 22, Nos. 4 and 5 (March, April, 1911); *Twenty-eighth Annual Report . . . 1911*, pp. 13, 22. By-laws for the governance of the summer school were adopted at this time, *q. v.*, *ibid.*, and in a revised form, *Fabian News*, Vol. 26, No. 2 (January, 1915).

[23] *Fabian News*, Vol. 22, Nos. 10 and 11 (September, October, 1911); *Twenty-ninth Annual Report . . . 1912*, p. 12.

[24] The leasing of new quarters for the school was announced in *Fabian News*, Vol. 23, No. 6 (May, 1912).

[25] The session of 1917 was held at Priors' Field, Godalming, Surrey. See *Fabian News*, Vol. 28, Nos. 7, 9, and 10 (June, August, September, 1917); *Thirty-fifth Annual Report . . . 1918*, pp. 7–8. The meeting here was so successful and popular that the same quarters were engaged in 1920, 1921, and 1922.

[26] *Fabian News*, Vol. 17, No. 4 (March, 1907).

courses of lectures, debates, and conversation dealing with the most modern problems of sociology and economics. But while study is one great object of the school, it is not forgotten that recreation and rest will be needed by those who come there."[27]

The general management of the Fabian Summer School is in the hands of a committee, chosen partly by the executive committee of the Society and partly by the different Fabian groups. The summer school committee appoints a general manager, or steward, who takes charge of all matters of household management; and a series of directors, who serve in turn for a week each. It is the director's duty to give some of the lectures and to serve as the general executive of the school. The other lectures are given by university professors, journalists, business men, and active politicians. There is no requirement that the lecturers be members of the Society, or even that they be Socialists. Each visiting lecturer is asked to give only one lecture.[28]

After the school had been in existence for about a dozen years, the program of activities became quite standardized. A typical week is opened on Sunday night with a lecture by the director; a series of four or five lectures is given in the mornings, each of which is followed by questions and discussion; and the afternoons are generally given over to outdoor sports. Wednesday is traditionally the day for an excursion into the country, after which the members return for an open debate in the evening on some question of the day. It is customary to devote Friday evening to an amateur dramatic performance, which is followed by a costume dance. This program is often varied by the arrangement of impromptu lectures and discussions, musical programs, and other entertainments. It is customary to set the topics for lectures so that those in a week will all relate to the same general subject; but this plan is sometimes not followed, either from choice or because it does not fit the convenience of the lecturers. It is obvious that the program is not filled to overflowing with educational work. A week at the Fabian Summer School is intended to be a pleasant vacation for Socialist workers, but one in which there is opportunity for intellectual stimulus.

The Fabian Summer Schools have always been open to non-members of the Society. Every school has had a sprinkling of outsiders, and persons from many foreign countries have attended. People who live in the neighborhood of the meeting place of the school are always permitted to attend the lectures upon the payment of a small fee. It has also been the custom to arrange public propagandist meetings in a near-by hall or in the

[27] See the prospectus of the ninth session of the school (1915).

[28] From time to time, there are items in the financial reports of the school for "fees and expenses of lecturers." These items are, however, so small that it appears that there is no regular practice of paying fees to lecturers.

open air as a supplement to the school. The school is attended primarily by members of the Society, and some have attended regularly year after year.[29] Beginning in 1924, however, comments may be found in the publications of the Society which indicate that younger people were beginning to displace the old summer school group.[30] But it is clear that, in spite of the long history of the school, not more than a few thousand people have directly participated in it. It is not an extensive educational institution designed to influence great numbers of people, but rather a method of renewing the inspiration of the members of a small society.

The first ventures of the Independent Labor party in holding summer schools were made in close collaboration with the Fabian Society. In 1913, the joint committee of these two organizations sponsored a week's meeting which was held in the Fabian summer home, just before the Fabian Summer School. It was attended by many of the members of the executive committees of the two organizations, as well as by some of the rank and file. This meeting was a conference, rather than a summer school.[31] Instead of set lectures as in the Fabian Summer School, the program consisted of discussions, with certain members of the group designated as leaders. The object of this conference was to work out the details of some phases of a practical Socialist policy. This joint conference of the Fabian Society and the I.L.P. was thus an early instance of the use of the summer school technique for the purpose of research, rather than for an educational purpose—a use of the summer school which was later exploited much more extensively by the Liberal party.[32] The I.L.P. held a summer

[29] In 1922, a second summer school, in addition to the principal meeting at Priors' Field, was arranged in order to give the regulars a change of scene. See *Fabian News*, Vol. 23, Nos. 3, 4, and 8 (March, April, August, 1922); *Fortieth Annual Report . . . 1923*, pp. 11–13.

[30] *Fabian News*, Vol. 35, No. 10 (October, 1924); Vol. 36, No. 10 (October, 1925).

[31] On the differences between a conference and a summer school, see editorial comment in the *Manchester Guardian Weekly*, August 10, 1922, and August 2, 1928. Two kinds of conferences may be distinguished. There is, first, the familiar regional or national party conference, which is of the nature of a delegate convention. Such conferences are almost always large assemblies, and have to proceed according to rigid parliamentary rules. They are usually overwhelmed with business, and there is little opportunity for constructive thinking. Such conferences have a certain educational value for their participants, but it is usually slight. There is, second, the small conference made up largely of experts who are called together for an exchange of views and often for the purpose of working out a common policy. Such a conference is essentially a research agency. The joint conference of the Fabian Society and the I.L.P. in 1913 was of this second type.

[32] *Fabian News*, Vol. 24, No. 6 (May, 1913), and the prospectus of the Fabian Summer School of 1913; Sidney Webb, "The Fabian Summer School, 1913," *Fabian News*, Vol. 24, No. 10 (September, 1913); *Thirty-first Annual Report of the Fabian Society . . . 1914*, p. 12; A. F. Brockway, "The Keswick Conference: I.L.P. and

conference in 1914, again using the same accommodations as the Fabian Summer School; but the Fabians did not directly participate.[33] No similar meeting was held in 1915 or 1916, but in 1917 the I.L.P. held its first summer school. On this occasion, accommodations independent of the Fabian Society were engaged in North Wales. The educational program of the school consisted of a series of lectures on political and economic subjects by a university professor, a journalist, and several I.L.P. members of Parliament. Each lecture was followed by questions and discussion, and in other respects the procedure was the same as in the Fabian Summer School.[34] This was the only summer school held by the I.L.P. until the practice was established on a permanent basis in 1923.

One of the results of the joint conference of the Fabian Society and the I.L.P. in the summer of 1913 was the launching of an ambitious plan for the establishment of study circles in the local branches of the I.L.P. This work was under the supervision of the joint committee of the two organizations. The plan was to encourage the study of political and economic subjects from a definitely Socialist point of view. It was recognized that similar work was being done by the Workers' Educational Association, but it was thought that there was a desire among the members of the I.L.P. for educational opportunities managed within their own organization.[35] In September, 1913, the scheme was formally announced in a letter sent out to all the branches of the I.L.P. by the chairman of the joint committee, C. M. Lloyd.[36] The committee undertook to prepare and publish at low cost the syllabi for the study circles, and to furnish leaders, who should be paid their expenses, but no fees. It was recommended that each study circle meet weekly or fortnightly, and that each meeting consist of a lecture by the leader followed by questions and discussion. The students were expected to read the materials recommended in the syllabi. Syllabi on economics, industrial history, trade unionism, local government, and the coöperative movement were soon published at the price of 1s. 6d. per copy, and many study circles were established in the I.L.P. branches.[37]

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Fabian Society Discuss Socialist Problems," *Labor Leader*, July 31, August 7, 1913; I.L.P., *Report of the Annual Conference Held at Manchester, March, 1913*, p. 27; I.L.P., *Report of the Coming-of-Age Conference Held at Bradford, April, 1914*, p. 28.

[33] *Thirty-second Annual Report of the Fabian Society . . . 1915*, pp. 9–10; *Labor Leader*, May 21, 1914.

[34] *Labor Leader*, May 31, July 5, and July 12, 1917; I.L.P., *Report of the Annual Conference Held at Leeds, April, 1917*, p. 25; I.L.P., *Report of the Annual Conference Held at Leicester, April, 1918*, pp. 30–31.

[35] Sidney Webb, "The Fabian Summer School, 1913," *Fabian News*, Vol. 24, No. 10 (September, 1913); A. F. Brockway, "The Keswick Conference: I.L.P. and Fabian Society Discuss Socialist Problems," *Labor Leader* July 13, 1913.

[36] See this letter in *Labor Leader*, September 18, 1913.

[37] *Ibid.*, October 2, 16, and 23, 1913.

The initial enthusiasm of many of the study circles was not sufficient to carry them through a winter of study;[38] but it was stated officially that from fifty to sixty I.L.P. branches carried on their study circles throughout the first winter of the enterprise.[39] This was without doubt the first use in Great Britain of the study circle for political purposes, although the same plan of instruction had been in use for some time by various agencies of adult education.[40]

The outbreak of the World War caused an almost complete suspension of this promising scheme for educational work within a political party. In 1914, two new syllabi were prepared, on (1) Scottish local government and (2) the life and works of William Morris, and the joint committee made an effort to carry on in spite of the War.[41] About twenty classes were kept alive during the winter of 1914-15.[42] After this date, the joint committee found itself unable to continue the work, and it did not resume the leadership in educational work after the War. It is doubtful whether the joint committee was ever able to do much in the way of providing leaders for the study circles, and probably most of them had to rely upon local persons for leadership. While the central inspiration for such educational effort was lacking during the War, there is evidence to show that the study circles never completely died out, and there certainly was a continued interest in the idea.[43]

It is now necessary to trace the development of another educational device, namely, the speakers' class. As originated by the Fabian Society in 1912, the speakers' class was designed almost exclusively to give training in public speaking, without any effort to put into the heads of

[38] See the letters of J. T. W. Newbold (*ibid.*, November 13, 1913) and C.M. Lloyd (*ibid.*, December 11, 1913).

[39] I.L.P., *Report of the Coming-of-Age Conference Held at Bradford, April, 1914*, p. 28; *Thirty-first Annual Report of the Fabian Society . . . 1914*, p. 4.

[40] The study circle method was much used by the National Home-Reading Union, the Adult School Movement, and the Workers' Educational Association. See A. E. Dobbs, "Historical Survey," in *Cambridge Essays on Adult Education*, pp. 35–63, at p. 54; *Final Report of the Adult Education Committee*, pp. 213, 215, 240. The study circle was developed by the American Chautauqua after 1878. See Noffsinger, *op. cit.*, pp. 109–110.

[41] *Labor Leader*, July 23 and September 10, 1914.

[42] *Ibid.*, November 5, 1914; *Thirty-second Annual Report of the Fabian Society . . . 1915*, p. 8; I.L.P., *Report of the Annual Conference Held at Norwich, April, 1915*, p. 24.

[43] A resolution was introduced at the conference of 1916; see I.L.P., *Report of the Annual Conference held at Newcastle-on-Tyne, April, 1916*, p. 95. See letters urging the reorganization of the work in *Labor Leader*, April 19, May 10, and May 17, 1917, and March 21, 1918. See also M. R. Powell, "I.L.P. Study Circles," *ibid.*, October 17, 1918; I.L.P., *Report of the Annual Conference Held at Leicester, April, 1918*, p. 31. Some study circles were also continued within the local Fabian groups; see *Fabian News*, Vol. 26, No. 8 (August, 1915).

the speakers the materials for their utterances. It was primarily an attempt to make propagandists for the Socialist movement. The first Fabian speakers' class was begun in January, 1912, and both a beginners' class and an advanced class were carried through the winters of 1912–13 and 1913–14.[44] Here the work was interrupted by the War, but the speakers' class was revived along the same lines in January, 1920.[45] In the summer of 1918, another kind of class, called the tutorial class, was instituted by the Fabian Society.[46] The purpose of this class was to give instruction in the principles and policy of the Labor party. The tutorial class was very similar to the earlier study circles, except that it was held centrally rather than locally. The first tutorial class of this kind was given by Sidney Webb, and it was followed with another one given by the secretary of the Society in the fall of 1919.[47]

The study circle activity of the I.L.P. was revived tentatively in 1921, and more vigorously in 1925, but now it was under different auspices. Instead of being sponsored by the joint committee of the Fabian Society and the I.L.P., it was organized by the Information Committee of the I.L.P., which had been formed in 1919 to undertake research and the answering of inquiries.[48] The Information Committee set about the preparation of new syllabi on a variety of subjects, three of which were published in 1921,[49] and others were published at intervals until eleven were available in 1925.[50] There undoubtedly was a great expansion in the study circle activity of the I.L.P. in the early twenties.[51] In 1925, it was estimated that at least 200 study circles were meeting regularly.[52] About

[44] *Fabian News*, Vol. 23, No. 2 (January, 1912); No. 10 (September, 1912); Vol. 24, No. 11 (October, 1913); *Twenty-ninth Annual Report . . . 1912*, p. 8; *Thirtieth Annual Report . . . 1913*, p. 12; *Thirty-first Annual Report . . . 1914*, p. 15.

[45] *Fabian News*, Vol. 31, No. 1 (January, 1920), and the prospectus of the class.

[46] *Fabian News*, Vol. 29, No. 7 (June, 1918), and the prospectus of the class.

[47] *Fabian News*, Vol. 30, Nos. 7, 8, and 12 (July, August, December, 1919); the prospectus of the second class; *Thirty-seventh Annual Report . . . 1920*, p. 4.

[48] *Labor Leader*, March 13 and 27, 1919; I.L.P., *Report of the Annual Conference Held at Glasgow, April, 1920*, pp. 22–23.

[49] *Labor Leader*, July 7 and October 20, 1921; I.L.P., *Report of the Annual Conference Held at Nottingham, April, 1922*, p. 19.

[50] I.L.P., *Report of the Annual Conference Held at Whitley Bay, April, 1926*, pp. 37–38. The subjects of the syllabi are as follows: "History of the I.L.P.," "Principles of Socialism," "Socialism at Work," "Economic History," "Foreign Policy and the People," "Socialism and the Mining Industry," "Socialism and Finance," "Socialism for Women," "Socialism and the Railways," "Unemployment under Capitalism," and "Industrial Policy for Socialists."

[51] *New Leader*, September 7 and October 12, 1923; February 8, April 18, and September 5, 1924; I.L.P., *Report of the Annual Conference Held at Gloucester, April, 1925*, p. 54.

[52] A. F. Brockway, "I.L.P. as a Socialist University," *New Leader*, June 26, 1925.

this time, another grandiose scheme of educational work was brought forth within the I.L.P. The plan was to have study circles in all the branches, which were to connect up with the week-end schools and the national summer school (to be discussed presently). A permanent residential college was projected also.[53] In 1925, the Information Committee sent out a call for the establishment of study circles, together with a pamphlet giving advice upon the organization and conduct of them.[54] No very startling results came of this scheme,[55] although study circle work is still an important part of the activity of I.L.P. branches. The decline of educational work within the I.L.P. was part of the general decline in importance of the party, which set in about the time the first Labor government was in office.

Yet another educational device developed in the I.L.P. before the permanent establishment of the summer school. This was the week-end school, which was originated by the Adult School Movement. In an Adult School, a week-end school is opened by all the members taking tea together on Saturday; then follows a series of two or three lectures on Saturday night and Sunday, usually given by one visiting lecturer, and the school is wound up with a "fellowship meeting" Sunday evening.[56] When the week-end school was taken over by the I.L.P. for political purposes, this pattern was preserved in most essentials. The week-end school is, in fact, a summer school on a small scale, since it combines educational effort with recreational and social activities. Moreover, it has an advantage over the summer school in that it is better adapted to decentralization and may therefore be brought closer to the people; and, of course, week-end schools may be held throughout the year.

The first I.L.P. week-end school was organized by Manchester leaders and held in a near-by country resort over Whitsunday of 1920 (May 22-26, Saturday noon to Wednesday). About 50 persons attended the school. The organizing committee arranged for lectures by four I.L.P. organizers and members of Parliament. A day's program at this school consisted of a lecture and open discussion in the morning, a country walk in the afternoon, and a propagandist meeting in a neighboring village at night.[57] A few similar week-end schools were held in the next few years,[58] and by the winter of 1923-24 they had come to be quite common.[59] By

[53] See A. F. Brockway as cited in note 52; C. E. M. Joad, "Labor's University," *ibid.*, October 1, 1926; and a news item, *ibid.*, January 7, 1927.

[54] *Ibid.*, August 7, October 23, and November 6, 1925.

[55] I.L.P., *Report of the Annual Conference Held at Whitley Bay, April, 1926*, pp. 24–25.

[56] *Final report of the Adult Education Committee*, p. 213.

[57] *Labor Leader*, April 1, April 15, May 20, and May 27, 1920.

[58] *Ibid.*, July 21, 1921; May 18, 1922; *New Leader*, September 14, 1923.

[59] *New Leader*, June 13, 1924.

that time, it was customary to ask a visiting speaker, ordinarily scheduled for a propagandist meeting on Sunday night, to come earlier for the purpose of giving educational lectures at a week-end school on Saturday afternoon and night and Sunday morning. The program of a week-end school may be varied in many ways; thus, one held in September, 1924, consisted of four lectures, a country walk on Sunday afternoon, and music and two one-act plays Sunday night.[60] It is impossible to say with any exactness how many week-end schools are held by the I.L.P. in the course of a year. In 1924, 37 were reported to the head office,[61] and probably as many or more were held each year until the rapid decline in party membership which began during the term of office of the second Labor government. Most of the I.L.P. week-end schools are organized locally and attended only by people in the district; some have been residential schools in country resorts; and a few have been week-end camps. Naturally, the fees vary according to the character of the school; for a local school each student is charged 1s. 6d. to 3s., while for a resisidential school the fee is about 7s. a day. Attendance at week-end schools varies from about 30 to 100, the average being perhaps 60.

The summer school of the Independent Labor party was revived in 1923, and it has since been held regularly each year. The initiative in reorganizing the summer school was taken by Lord Allen of Hurtwood, who as Mr. Clifford Allen, was then chairman of the party. Lord Allen is credited with introducing the principle that recreational and social activities should take precedence over educational matters in the summer school,[62] and this has remained a characteristic of the I.L.P. school.[63] The I.L.P. held two summer schools in 1923, each of two weeks' duration. They were frankly designed to serve the active workers of the party, of whom 140 attended.[64] Both of these summer schools were organized in the form of mock parliaments;[65] the chairman of the party served as

[60] *Ibid.*, September 12, 1924.

[61] I.L.P., *Report of the Annual Conference Held at Gloucester, April, 1925*, pp. 24–25.

[62] For acknowledgements of Lord Allen's responsibility in reviving the school, see P. J. Dollan, "The Scottish School," *New Leader*, August 7, 1925; A. F. Brockway, "The I.L.P. Goes to School," *ibid.*, August 21, 1925; and I.L.P., *Annual Report of the National Administrative Council . . . 1926*, p. 29.

[63] A foreign visitor to the school in 1927 wrote: "The school really is not a school at all, but a delightful holiday, with five lectures a week thrown in so as to interfere as little as possible with sports, rambles, and jolly socials and dances." See H. M. Lange, "The National I.L.P. Summer School," *New Leader*, August 5, 1927.

[64] The announcement of the schools said: "Both are intended for active speakers and workers. . . ." See *ibid.*, June 15, 1923.

[65] On mock, or local, parliaments, see Ostrogorski, *op. cit.*, Vol. 1, pp. 416–419. Some local parliaments were established before 1850. See *The Forward View* (the organ of the National League of Young Liberals), Vol. 2, Nos. 13, 17, and 20

speaker, and prominent leaders of the party, serving as "ministers," outlined what they thought would be the program of the first Labor government. This aspect of the school attracted attention, and it got a good deal of space in the press at the time. The leaders were criticized because they refused to give their proposals definite form in "bills," and because they expressed too conservative views.[66]

The 1924 summer school was organized on the model of a royal commission, rather than of Parliament as the year before. Some of the discussions were planned in advance by committees of the party, which prepared reports. Each day's discussion was introduced by a prominent member of the party, and the 120 members of the school were encouraged to think of themselves as making up a public commission of inquiry on the subject. The afternoons and most of the evenings were given over to recreational activities.[67] In 1925, the idea of the summer school's serving as a commission of inquiry was carried on. On the first two or three days of each of the four weeks of the session, a broad subject was discussed by experts; then a committee was appointed from the members of the school, which studied the problem and made a report at the end of the week.[68]

It is doubtful whether the efforts made in the first three sessions of the I.L.P. Summer School to secure the active participation of all members in the educational work were ever very successful. At any rate, beginning with the 1926 session,[69] these hopes were abandoned. The educational program of the school became standardized, like that of the Fabian Summer School, and consists of a series of lectures by prominent persons. To

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(January, May, August, 1928); Vol. 3, No. 35 (December, 1929); J. F. Geddes, "A Plea for Local Parliaments," *Our Flag* (a publication of the Conservative party), Vol. 8, No. 11 (November, 1912).

[66] See such criticisms in the reports of correspondents, *Manchester Guardian*, August 27, 28, 29, 30, 31, September 1, 3, 1923; *London Times*, August 29, 1923. The indefiniteness of the proposals was criticized in the next annual conference; see I.L.P., *Report of the Annual Conference Held at York, April, 1924*, p. 108. See further on the 1923 school, *New Leader*, August 17, 24, 31, September 7, 14, 21, 1923; *London Times*, August 20, 1923; I. L. P., *Report . . . 1924*, p. 24.

[67] On the 1924 school, see *New Leader*, May 9, 16, 23, June 6, 13, July 11, 18, August 22, 29, September 5, 1924; *Manchester Guardian*, August 18 to 30, 1924; *London Times*, August 16 to 30, 1924; I. L. P., *Annual Report of the National Administrative Council . . . 1925*, pp. 24–25.

[68] On the 1925 school, see *New Leader*, February 6, May 15, June 19, July 3, 31, August 7, 14, 21, September 4, 1925; *London Times*, August 4, 5, 6, 10, 12, 17, 25, 26, 1925.

[69] See especially the comments of the correspondent of the *London Times*, August 21, 1926. See also on the 1926 school, *New Leader*, June 4, August 6, 13, 20, 27, September 3, 1926; *London Times*, August 3, 4, 11, 13, 19, 1926; I.L.P., *Report of the Annual Conference Held at Leicester, April, 1927*, pp. 18, 81.

be sure, the lectures are followed by opportunities for questions and discussion, but it is expected that the bulk of the audience will remain passive. One reason for this change in the character of the I.L.P. Summer School was a transformation in the personnel of the school. Branches of the party, trade unions, and other organizations began to establish scholarships to send deserving members to the school, and considerable numbers of foreign visitors started to attend. Thus, the school was no longer made up almost exclusively of active party workers, as it had been in the beginning. The primary emphasis continues to be placed upon the recreational side of summer school life; the educational work is an effort to instruct the rank and file of the party, rather than to develop a policy for the party as a result of discussions.[70]

Since 1924, a number of local summer schools have been held by different regional federations of the I.L.P. Among the local summer schools which have become established as regular annual events are those held by the Southwestern, London and Southern Counties, Midlands and Lancashire, and Scottish Divisions. Like the national I.L.P. Summer School, the local schools are held in some country home or guest house, selected with an eye for recreational facilities. The educational program consists chiefly of lectures. It is obvious that one of the main reasons for the great popularity of the summer school in the I.L.P. is that the cooperative organization makes possible an attractive vacation at a cost of as low as £2 5s. a week, including sleeping quarters, meals, and lectures.

A feature of the I.L.P. summer schools, national and local, is the emphasis placed upon amateur dramatics. This is due to the popularity of this form of self-expression and entertainment with the members of the I.L.P. Guild of Youth. The dramatic presentation at a summer school usually takes the form of a political skit or revue, in which the participants play the parts of leading British politicians. The scripts may be prepared before the summer school, but the productions are cast and rehearsed as part of the activities of the school. Needless to say, they are utilized as means of expressing the party's point of view.

The Labor party has never directly sponsored summer schools or other types of educational activity.[71] It has been content to leave this field to its many affiliated and associated organizations. In the first place, several of the independent agencies of adult education, such as the Workers' Educational Association, the labor colleges, and the coöperative societies, operate primarily at the level of society from which the Labor party draws most of its following. In the second place, the Labor party

[70] Some aspects of the I.L.P. Summer School are described vividly in Amabel Strachey (Mrs. Williams Ellis), *The Wall of Glass* (London, Cape, 1927).

[71] *Cf. Handbook and Directory of Adult Education*, compiled under the auspices of the British Institute of Adult Education (2nd ed., 1928–29), p. 117.

for years contained two vigorous organizations, the Fabian Society and the Independent Labor party (now disaffiliated) which give a great deal of attention to educational work. In the third place, certain auxiliary organizations of the Labor party—the Research Department and the women's and young people's organizations—have sponsored educational work.

This is not the place to tell the story of the Labor Research Department, but enough must be said to make clear its relation to the Labor party. In the fall of 1912, the Fabian Research Department was founded under the leadership of Beatrice Webb as a constituent group within the Fabian Society.[72] During the next six years, this body gave its attention, not to the provision of materials for immediate use in political campaigns, but to the long-term study of social problems.[73] By the end of the War, the Fabian Research Department had become so important to the labor movement in general that it was incorporated into the Labor party, in a semi-autonomous relationship.[74] Its name was then changed to the Labor Research Department. The independent position of the Research Department soon proved to be a source of friction, and at the beginning of 1922 it was shunted out of the Labor party.[75] Disowned by its parent society, the Labor Research Department has since carried on its work as an independent organization. Its place within the Labor party was taken by the Labor Party and Trades Union Congress Joint Research Department, which was followed in turn, as from March 1, 1926, by the Labor Party Research Department as the result of a decision to separate the research activities of the political and the industrial branches of the labor movement. In 1931, the Fabian Society established the New Fabian Research Department.

The Fabian Research Department held a summer conference of a week's duration in 1913,[76] and two of a week's duration each in 1914,[77] designed

[72] Pease, *op. cit.*, pp. 226–227; R. P. Arnot, *History of the Labor Research Department* (London, L. R. D., 1926), 62 pp.

[73] See especially a letter by Beatrice Webb to the editor of the *New Statesman*, Vol. 2, No. 49 (March 14, 1914).

[74] *Fabian News*, Vol. 29, No. 9 (August, 1918); *Report of the Nineteenth Annual Conference of the Labor Party, Southport, 1919*, p. 49.

[75] L. R. D., *Monthly Circular*, Vol. 9, n. s., No. 1 (July, 1921), No. 3 (September, 1921); X n. s., No. 2 (February, 1922).

[76] Julius West, "The Research Department," *Fabian News*, Vol. 24, No. 2 (January, 1913); the prospectus of the 1913 Fabian Summer School; *Fabian News*, Vol. 24, No. 9 (August, 1913); Sidney Webb, "The Fabian Summer School, 1913," *ibid.*, No. 10 (September, 1913); *Thirty-first Annual Report of the Fabian Society . . .* 1914, p. 12.

[77] See the prospectus sent out by the Research Department; *Fabian News*, Vol. 25, Nos. 9 and 10 (August, September, 1914); *Thirty-second Annual Report of the Fabian Society . . . 1915*, pp. 9–10.

to bring together the people who had volunteered to work on the projects of the Research Department. Meetings to discuss the research projects had been held frequently in London; but it was found that rather more attended when the discussions took place in a country villa, under conditions which permitted a combination of work and play. In the spring of 1915, a conference on plans to prevent future wars was held.[78] The Labor Research Department held a two weeks' summer school in 1921, during its brief period of association with the Labor party.[79] This summer school was of the usual type, consisting of lectures, discussions, and recreational activities; and it was attended by 140 persons. This was followed in 1922 with a similar three weeks' summer school attended by about 180 persons.[80] The school of 1923, which was planned on different lines to consist of tutorial classes, failed of organization because of insufficient registrations,[81] and this was the end of the summer schools of the Labor Research Department. Another educational activity of this organization was the publication, between 1922 and 1925, of a series of thirty syllabi for study circles and classes.[82] The official Research Department of the Labor party has carried on the tradition of summer schools, and these have been the nearest approach to a Labor Party Summer School.[83]

The Women's Labor League, which was founded in 1904 as a semi-independent body, but became the Women's Section of the Labor party in 1918, began educational work in a small way in the pre-war period. At this time its educational work was confined to the regular branch meetings. The branches were encouraged to devote some of their meetings to lectures and discussions of books. The central office got together a collection of papers on political subjects, written by well-informed persons, which were sent out to the branches and widely read as lectures.[84] The

[78] *Fabian News*, Vol. 26, No. 7 (June, 1915); *Thirty-third Annual Report of the Fabian Society . . . 1916*, p. 6.

[79] L. R. D., *Monthly Circular*, Vol. 8, n. s., No. 5 (May, 1921); Vol. 9, n. s., Nos. 1 and 4 (July, October, 1921); *Annual Report, 1920–21; Labor Leader*, August 18, 1921; the prospectus of the school.

[80] L. R. D., *Monthly Circular*, Vol. 11, n. s., Nos. 1 and 7 (April, October, 1922); the prospectus of the school.

[81] L. R. D., *Monthly Circular*, Vol. 11, n. s., No. 12 (March, 1923); Vol. 12, n. s., Nos. 1 and 2 (April, May, 1923).

[82] See these syllabi; an announcement concerning them appeared in the *Monthly Circular*, Vol. 11, n. s., No. 6 (September, 1922). The syllabi cover a wide range of political and economic subjects, and the authors include G. D. H. Cole, M. H. Dobb, Emile Burns, and R. P. Arnot.

[83] *Labor Bulletin of Industrial and Political Information*, Vol. 1, No. 2 (July, 1925); *Report of the Twenty-Seventh Annual Conference of the Labor Party, Blackpool, 1927*, pp. 64–65.

[84] *The League Leaflet*, Nos. 15, 19, 22, 23, and 26 (March, July, October, November, 1912; February, 1913).

branches of this organization also joined to some extent in the program of study circles sponsored by the joint committee of the Fabian Society and the Independent Labor party.[85] In 1915, an unsuccessful effort was made by the Women's Labor League to organize a summer school.[86] In the early post-war period, the educational work of the Labor women consisted largely of locally organized speakers' classes, which were really study circles, with some attention given to the training of propagandists.[87] In 1923, the first Labor women's week-end school was held,[88] and in 1924 the first summer school.[89] The summer schools of the Labor women have been organized according to a familiar plan: a lecture each morning, with opportunity for discussion; the afternoons given over to outdoor recreation; the evenings devoted to readings, singing, and amateur dramatics. An outstanding feature of the first school in 1924, and of the many other summer schools since organized by the Labor women, is the system of scholarships established by the different regional councils. The scholarships are awarded on the basis of a competitive examination. During the winter, the members of the study circles are expected to read certain books; in the spring, a written examination is held, and the scholarships to the summer school are awarded for the best papers. There are usually from three to six competitors for each place. In a period of seven years (1924–30), 15 summer schools of a week's duration each were held, at which the total attendance was 450. Week-end schools rapidly became too numerous for the central office to attempt to enumerate them, and one-day schools especially designed for the training of the secretaries and other officers of the local branches have also been very common.

The Labor League of Youth, which was organized independently in 1922 and recognized as an integral part of the organization of the Labor party in 1924, carries on educational activities of various sorts. The local branches are encouraged to devote part of their meetings to study circles and debates on political questions. Many branches, especially those in the London area, have held week-end schools. Many summer camps, at which educational work is not emphasized, are held each year. The Labor League of Youth has been especially active in challenging branches of the Junior Imperial League (the youth organization of the Conservative party) to public debates.[90]

Over a quarter-century's development in political education, directly

[85] *Labor Woman*, Vol. 1, No. 6 (October, 1913).

[86] *Ibid.*, Vol. 3, No. 3 (July, 1915).

[87] *Ibid.*, Vol. 6, No. 2 (June, 1918); Vol. 9, No. 7 (July, 1921); Vol. 10, No. 6 (June, 1922); Vol. 11, No. 6 (June, 1923); Labor Party, *Report of the Executive Committee . . . 1923*, p. 62.

[88] *Labor Woman*, Vol. 11, No. 9 (September, 1923).

[89] *Ibid.*, Vol. 12, Nos. 4 and 8 (April, August, 1924).

[90] W. A. Peacock, "The League of Youth," *Labor Magazine*, Vol. 7, No. 10 (February, 1929); *Labor Woman*, Vol. 12, No. 9 (September, 1924).

sponsored by the different Socialist groups, has resulted in the evolution of many ways of attracting attention to the more serious side of politics. All of this education is, of course, biased. It starts by assuming that the Socialist case is proved, and then proceeds to consider current problems from a frankly partisan point of view. This educational activity is nevertheless an attempt to give appeal to reason an ascendency over purely propagandist and emotional appeals. One of the great advantages of the political school is that it encourages the party propagandists to lay aside for a time the tricks of the platform, and instead to present their ideas in a reasoned manner and to submit them to discussion, and possibly revision. The political schools probably do not directly touch a very large portion of the mass of party supporters. They are, however, a leaven for the mass. The willingness of partisan organizations to approach politics in an academic spirit is of the greatest significance for the future of democracy. For working-class organizations especially, one of the most important aspects of the political school is that it makes possible the provision of vacations at a comparatively low cost. Moreover, the political party is revealed in a little-appreciated rôle—as the promoter of good fellowship and the bearer of culture to the masses.

JOSEPH R. STARR.

*University of Minnesota.*

# NEWS AND NOTES

## PERSONAL AND MISCELLANEOUS

*Compiled by the Managing Editor*

Professor Harold F. Gosnell, chairman of the committee on local arrangements, announces that the Palmer House has been selected as headquarters for the coming meeting of the American Political Science Association in Chicago. The American Economic Association, the American Sociological Society, and various allied organizations will meet in the Stevens and Congress Hotels. The committee on program, Professor Cullen B. Gosnell, chairman, announces certain changes in the list of sections and round tables published in the August REVIEW. The chairman of the section on "Administration of New Governmental Activities" will be Louis Brownlow; the round table on "Federal-State Relations" has been abandoned; a round table on "Nationality," led by Rinehart J. Swenson, has been added; and the subject of the round table led by Frank M. Stewart will be "An Appraisal of State Administrative Reorganization.

Dr. Frederick H. Guild has been granted a leave of absence for a third year from the University of Kansas to continue as director of the research department of the Kansas Legislative Council at Topeka. Dr. Edwin O. Stene, who meanwhile has been in charge of Dr. Guild's courses, has been given permanent status with the rank of assistant professor, in anticipation of some expansion of the department in another year. Professor Walter Sandelius continues as acting chairman.

Promotions have been made at the University of Texas as follows: Charles A. Timm and Roscoe C. Martin, from associate to full professor; J. Alton Burdine and Emmette S. Redford, from assistant to associate professor; and Stuart A. MacCorkle, from instructor to assistant professor. Mr. Howard A. Calkins, instructor in the department, is on leave in order to complete his work for the doctorate at the University of Wisconsin.

Professor Roscoe C. Martin has been granted a leave of absence from his teaching duties at the University of Texas from May 1, 1936, to February 1, 1937, to serve as chief of the research staff of the committee on urbanism of the National Resources Commission. Professor Emmette S. Redford is also working on a project under this commission, on the relationships between the federal government and cities.

Professor J. Alton Burdine, of the University of Texas, has recently completed a year's service as special representative of the United States Employment Service in the application of the merit system to public

employment offices in Texas. By state appointment, he is chairman of the state advisory council of the Texas State Employment Service and a member of the government and social aspects committee of the Texas Planning Board.

Professors Edwin A. Cottrell of Stanford University, Charles H. Titus of the University of California at Los Angeles, and Dr. Klaus Mehnert, Moscow correspondent for German newspapers, gave courses in political science at the University of California during the past summer session.

At the University of Oklahoma, Professor Royden J. Dangerfield has been granted leave of absence for the current year in order to serve with the Wichita (Kansas) Public Affairs Forums. To take care of his work at Oklahoma, Mr. Oliver Earl Benson has been appointed to an instructorship.

During the second term of the summer quarter, a course in public administration and another in administrative justice were offered at the University of Chicago by Professor Jules Joseph Lespes, of the University of Brussels. Professor Lespes wrote his thesis on "Local Government in the United States" and secured his doctor's degree in public and administrative law at Brussels in 1929. He is a member of the Conseil Superieur de l'Assistance Publique and general secretary of the Belgian Institute of Administrative Science.

Professor John M. Pfiffner, of the University of Southern California, has been appointed a member of the personnel commission of the Los Angeles City School Districts. This commission was created by a 1935 statute which made it optional for the districts to adopt civil service for non-certificated employees. The Los Angeles board of education recently voted to come under the operation of the law; abandonment of the régime can take place only by a vote of the electorate initiated by petition. Professor Pfiffner's appointment came through William Brownrigg, executive officer of the California State Personnel Board, who is empowered by the statue to appoint one of the commissioners.

President Roosevelt has appointed Mr. C. A. Dykstra, city manager of Cincinnati, a member of an advisory committee which will assist in a forthcoming study of the fiscal relations between the United States and the District of Columbia.

Dr. Carl M. Frasure, assistant dean of the college of arts and sciences at the University of West Virginia, has been continued as acting head of the department of political science; and Mr. Clifford E. Garwick, of Ohio State University, has been appointed to an assistant professorship in the department.

Dr. Jasper B. Shannon, formerly of Transylvania College and more recently research associate in public administration for the TVA, has joined the staff of the University of Kentucky.

Professor O. Douglas Weeks, of the University of Texas, has been appointed a member of the state advisory committee on social science in the Texas Curriculum Revision Movement operating under the state department of education.

Dr. Karl Loewenstein, recently of Yale University, has been appointed visiting professor of political science at Amherst College for the current academic year and is in charge of courses in jurisprudence and comparative government.

Dr. Charles W. Smith, Jr., formerly of Rutgers University, is now assistant professor of political science at the University of Alabama.

Dr. John H. Marion, who received his doctorate in public administration at the University of Chicago during the past summer, has been appointed instructor in government at Yale University.

Professor Emery E. Olson, of the American University, Washington, D. C., taught at the University of Washington, Seattle, during the second term of the summer session.

Professor W. V. Holloway and Dr. Hollis W. Barber have resigned their positions at the University of Alabama, the former to accept a professorship at the Tulane University, and the latter an instructorship at the University of Cincinnati.

The Baldwin Prize for 1936, offered by the National Municipal League, has been awarded to Mr. Herman B. Director, an undergraduate student at the University of Chicago, for his essay on "Non-Partisan Elections in American Local Government."

Mr. Clyde F. Snyder, formerly of the University of Indiana, has accepted a position at the University of Illinois and has been succeeded as instructor at Indiana by Mr. Francis D. Wormuth.

Drs. W. L. Reno and Eric C. Bellquist have been appointed instructors in political science at the University of California.

Mr. Frank H. Jonas, who has been doing graduate work at the University of Washington, Seattle, has been appointed instructor in political science at the University of Idaho, Pocatello.

Dr. Russell H. Fitzgibbon, formerly of Hanover College, has been appointed assistant professor of political science at the University of

California at Los Angeles and will devote his attention mainly to the Latin American field.

The Social Science Research Council has announced awards of predoctoral fellowships in political science for 1936–37 to Mr. John B. Farnsworth of Harvard University and Mr. George H. Watson of the University of Illinois.

Organization of a National Crime Prevention Institute has been completed with Dr. Sheldon Glueck, professor of criminology in the Harvard Law School, as president and Mr. Rowland C. Sheldon as executive director. The Institute's headquarters will be at 425 Fourth Avenue, New York City.

A new magazine, to be known as the *Public Opinion Quarterly*, will be launched by the School of Public and International Affairs at Princeton University about the middle of December. Dr. DeWitt Clinton Poole, director of the School, will be editor. The managing editor will be Professor Harwood L. Childs, associate professor of politics at Princeton and well known for his writings in the field of public opinion. Professors Hadley Cantril, formerly of Columbia and now of Princeton, E. Pendleton Herring of Harvard, Harold D. Lasswell of Chicago, and O. W. Riegel, director of journalism at Washington and Lee University, will be associate editors. Each issue of the *Quarterly* is planned to include leading articles, descriptive surveys, book reviews, and annotated bibliography.

The United States Conference of Mayors, with headquarters in Washington, has announced the establishment of four new affiliated national organizations to function under the auspices of the Conference. These are: (1) Department of Public Works Officials; (2) Department of Municipal Finance Officers; (3) Department of Purchasing Agents; and (4) Department of City Clerks. The main purpose of each of the new organizations is to provide effective interchange of experience and information among cities in those matters which are of special interest to the respective departments or branches of city government.

A special staff of some twenty persons has been assembled by the Brookings Institution for the Federal Organization study for the Byrd and Buchanan committees set up by Congress early in the year. Among the temporary appointees are E. G. Montgomery, agricultural expert, former chief of the Foodstuffs Division of the Bureau of Foreign and Domestic Commerce; Charles E. Persons, former director of research, National Bituminous Coal Commission; Esther Cole, former assistant professor of political science, University of Kentucky; H. A. Bacus and H. R. Overstreet, former staff members of the Federal Coördinator of Transportation; Mrs. J. Kerwin Williams, research associate, U. S. Con-

ference of Mayors; John B. Rae, who received his doctorate at Brown this year; Nils V. B. Hansell, former member of the staff of *Banking;* and Charles Thomson, research assistant in public administration, University of Chicago.

**Howard Lee McBain,** whose death occurred at his home in New York early in May, started his collegiate teaching at the George Washington University. After several years at the University of Wisconsin, he went to Columbia University, where he was successively lecturer, associate professor, Eaton professor of municipal administration, Ruggles professor of constitutional law, and dean of the three Graduate Faculties of Political Science, Pure Science, and Philosophy. Before becoming dean, he had long administrative experience as chairman of the department of public law and chairman of the committee on instruction of the Faculty of Political Science. In addition to his academic career, he was called upon frequently to serve upon boards and commissions and in consultative capacities in connection with public finance, education, election procedure, and other administrative problems. To all of these administrative duties he brought a competence and a practical wisdom of the highest order. He invariably went directly to the heart of any problem with which he had to deal. He never chased will-o'-the-wisps of doctrinaire theory or of impossible practical attainment. His whole temper was practical rather than speculative. Yet he had an intuitive insight into the human aspects of any situation and an instinct for comradeship with his co-workers which doubled the strength of his independent capacity and made him the type of administrator that is far superior to that of the mere decider or commander. He could disarm foolish contentions by a pungent phrase and leave no wound. In university administration, he was an all-pervasive rather than a dominating figure. He came to be an important part of almost every phase of Columbia University's institutional life, and his unstinting devotion to its welfare was matched only by the unbounded affection and respect of his colleagues. Though McBain wrote his dissertation in American history, his interests soon turned to problems of state and municipal administration. His exhaustive work on municipal home rule went into detail into the constitutions, statutes, ordinances, and judicial decisions in states where some degree of home rule obtained and presented in orderly fashion the intricacies and varieties of specific devices and issues, state by state. Here, as elsewhere, he substituted cold realities for loose generalizations. In similar detailed and technical fashion, he dealt in various articles with problems of taxation, of delegation of legislative power, of proportional representation, and of the powers of cities under state and federal constitutions—all directed to clearing the way for the better attainment of wise practical ways of

administration. This type of technical scholarship divided his interest with writing of a wider sweep designed more for the general student or the general public. Such writing found its fruition chiefly in four books: *Municipal Progress and the Law, American City Progress and the Law, The Living Constitution,* and *Prohibition, Legal and Illegal.* Sanity and balance are characteristic of all, as they are of such public lecturing and newspaper articles as he was called upon to do from time to time. Even when he thought somewhat at large, he never thought loosely. He could write for popular understanding without descent to the shallow. The much abused word "publicist" would be a word of honor if confined to such as McBain. In addition to being a scholar and a university administrator of note, McBain ranked high as a citizen, both because of his practical participation in government and because of his clear and sane exposition of the problems of government.—THOMAS REED POWELL.

*Storm over the Constitution.* By Irving Brant. With an Introduction by Henry A. Wallace. (Indianapolis and New York: The Bobbs-Merrill Company. 1936. Pp. xvi, 294.)

*Whose Constitution? An Inquiry into the General Welfare.* By Henry A. Wallace. (New York: Reynal and Hitchcock. 1936. Pp. 336.)

For some years, the great business interests of this country, having already reduced state power to a condition of innocuous desuetude so far as they are concerned, have been engaged, as Mr. Brant puts it, in "tearing down" national power. An important instrument in this patriotic enterprise has been a spurious constitutional history, largely the output of the law offices, which brazenly contradicts the primary purpose of the Convention of 1787, namely, that of establishing a powerful national government, and one supreme within its field over all conflicting state authorities. Thanks, moreover, to the Supreme Court, this enterprise seems at the present moment to have succeeded to a remarkable degree. As Mr. Brant admirably states the case: "During this later period the United States shifted from a Constitution of *implied powers* under the express powers to a Constitution of *implied limitations* upon express powers. It was virtually the same as writing a new, and infinitely narrower, Constitution" (p. 129).

There are those, to be sure, who take the position that the *intentions* of the framers of the Constitution are today a matter of indifference—that the important thing is *what the Constitution says.* Fortunately or unfortunately, as has just been indicated, the latter question has become involved with the former. In undertaking, therefore, to strip the present Supreme Court's reading of the Constitution of such elements of respectability as it derives from law-office constitutional history, Mr. Brant is doing something distinctly worth while; and he has done it exceedingly well.

Some of his principal results may be indicated briefly. He shows that the notion that the "small" states were generally opposed in the Convention of 1787 to a strong national government is fallacious—their fight was for equality of representation in the new system. Against the nugatory theory of Congress's power to regulate commerce among the states, on which the new states-rightism so largely pivots, Mr. Brant pits the generally accepted idea in 1787 that Congress would have the power to establish commercial monopolies, which infers a power to *prohibit commerce* at discretion. Anent the "general welfare" clause, considered as a qualification of the spending power, Mr. Brant brings out the fact that Sherman, who moved it, later supported President Washington's proposal of a national university and defended its constitutionality. Finally, he shows

that when Marshall characterized the power to tax as "the power to destroy," he reflected exactly the views of the framers, as is shown, for instance, by their grouping capitation taxes with "other direct taxes," in order to make it impossible for Congress to employ the former for the purpose of destroying slave property. In other words, the doctrine which was ratified by the Supreme Court in 1922, in the Child Labor Tax Case, that the power to tax may not be resorted to for the primary purpose of regulation, receives little support from ideas entertained in 1787, and it may be added, years later.

Mr. Wallace, who contributes a foreword to Mr. Brant's book, confesses indebtedness to the latter's manuscript in preparing his own volume. In the main, however, the emphasis in *Whose Constitution?* is not upon historical controversies, but upon today's actualities. The great lesson which Mr. Wallace draws from 1787 he phrases thus: "Let us take a leaf from the book of our forefathers, those bold political realists whom I have called the wise young men of 1787. Their confidence in action grew out of the moral certainty that their purposes were in line with the stream of destiny of their time" (p. 322). The volume is packed with facts which are persuasive of the necessity for a strong and active national government today. And as in all of Secretary Wallace's writings, there is a tone of philosophical detachment as rare as it is welcome in the utterances of public men—indeed in those of men not so public. Thus he writes: "Both labor and agriculture have been able to get control in recent years of a considerable amount of Federal power. There is no assurance as yet that either group will have any greater respect for the general welfare than has been the case with industry" (p. 262). Coming from a convinced champion of both these interests, such candor is heartening.

In his final chapter, Mr. Wallace comes out strongly for consumers' coöperatives. Elsewhere (p. 168) he advocates requiring Federal charters for interstate corporations. Throughout he is in agreement with Mr. Brant that the present Constitution, properly construed, confers on the national government all the powers it needs to deal with today's problems. But how is this proper construction to be secured in the face of a hostile Court? Although at one point Mr. Brant claims for Congress the power to require a two-thirds vote, "or even a unanimous vote, to nullify a federal law" (p. 244), his final answer to the above question seems to be that the people "must consistently elect presidents" who will appoint the right kind of justices (p. 254). And Mr. Wallace's position is still less definite: "The American people have faith in the Supreme Court of the United States, and they desire to keep this faith. The Supreme Court, in turn, must have and keep faith in the American people and their representative government" (p. 239).

The reviewer agrees that the redintegration of the Constitution must

be sought in the first instance through the power of the Court to correct its own errors rather than through constitutional amendment. Nothing could be sillier than to amend the Constitution and still leave it subject to the type of interpretation that has obtained during the past few years. A new point of view has to be impressed upon the Court. Whether this job can be left to the appointing power alone, however, may be a question. The world abounds in illustrations of the fact that time is often the most vital element of the problem of reform.

EDWARD S. CORWIN.

*Princeton University.*

*Legislative Processes; National and State.* BY JOSEPH P. CHAMBERLAIN. (New York: D. Appleton-Century Company. 1936. Pp. xi, 369.)

To present a picture of the legislative process in this country, state as well as national, within the limits of a single volume is a formidable task calling for familiarity with a vast amount of fugitive material, unusual powers of organization, and the ability to express oneself succinctly. As director of the Legislative Drafting Research Fund and professor of public law at Columbia University, the author of the present volume is admirably equipped for such a task. Although he modestly states that "it has been judged wisest to limit the study of the state legislative machine and its functioning principally to the state of New York, with which the author is familiar, and to deal with other states only to a limited extent" (p. 9), much interesting and significant material is drawn from states other than New York.

After five brief chapters dealing with problems of statute-making in general, the election of members, and the organization of the legislative bodies, the writer plunges into the heart of his subject, taking up the work of standing committees and commissions of inquiry; the "selection of bills for submission," in which we are given an illuminating description of why some bills never reach the floor of a legislative body; and the actual passage of a bill. The remaining chapters of the book deal with special aspects of legislation, including such varied problems as financial legislation, committees of conference, aids to legislators, the executive and the legislature, courts and legislatures, the party in legislation, and lawmaking and foreign affairs. Five appendices give some interesting illustrative material, and there is a brief bibliography.

The difficult problem of organization has, on the whole, been handled excellently. Instead of following the easier plan of dealing with the legislative process of the states and of Congress separately, the author follows the difficult but more illuminating one of considering them side by side, thus bringing out some interesting comparisons. However, it would seem more logical to the reviewer to have put the chapters on "Committees of

Conference" and "Party in Legislation" closer to those dealing with procedure in general.

Throughout the study the writer's approach to his problem is dispassionate and judicial. One finds no tirades against the iniquities of stupid, corrupt legislators; no ranting about foolish, vicious, and unnecessary legislation. Although he does not say it in so many words, the reader is left with the impression that the author feels that we have developed a legislative technique fairly well adapted to the complexities of a form of government in which power is divided functionally and territorially and in which the bicameral structure prevails.

As a concise but complete picture of how the "wheels go 'round" in our legislative bodies, this study is a most valuable addition to the literature of the field. As is all too often the case in studies written primarily for textbook use, vividness of presentation has frequently been sacrificed to brevity. A concluding chapter summarizing the writer's more important conclusions would have been a useful addition to the book. These, however, are minor criticisms. The author has accomplished splendidly the task he undertook, and the book should be useful to legislators and interested laymen as well as to students in courses in legislation. In fact, the volume should be made "required reading" for every prospective member of a legislative body. The reviewer makes bold to venture the hope, however, that some day the author will add a companion volume giving us the critical evaluation which he is so well equipped to write but which was not attempted here.

LOUISE OVERACKER.

*Wellesley College.*

*The President's Control of the Tariff.* By JOHN DAY LARKIN. (Cambridge: Harvard University Press. 1936. Pp. xii, 207.)

Stimulated by a host of academic minds and armed with the crystallized experience of the Tariff Commission and its experts, the author has offered a penetrating monograph on the generally accepted principle of administrative adjustment of the tariff. In so doing, he limits himself primarily to the consideration of the public law and policy of foreign trade relations. The general results should be the forcing of the sure-fire technicians to reëxamine their conclusions on matters administrative and the generating of a little laical thought about tariff politics and the relationship of legal theory to facts.

The author, after a bit of background, concentrates upon three major congressional policies that controlled foreign trade relations during the period 1920–1935: cost-equalization (the flexible plan), reciprocity, and prohibition of unfair foreign competition. These policies show that Congress has renounced for the present its former custom of revising its own

foreign trade laws for one of delegating to the President or his subordinates a wide discretion in the remaking of such laws. A close analysis of the cost-equalization policy, whether based upon foreign or upon domestic value, indicates an almost unlimited delegation of the sovereign taxing power to the President, but as a means to an end, in the opinion of the reviewer. A check-up on the practice under this policy reveals little equalization of taxable imports, a general trend upward in rates, and, in many cases, a practical embargo. The policy of reciprocal agreements, recently added to the law, gives the President power to reduce all tariff schedules to a lower level. As a club for effectuating either of the above contradictory policies, Congress, in the matter of discriminatory practices, has provided for retaliatory measures that involve higher tariff schedules, duties on free goods, or absolute exclusion, according to the findings of the President or his assistants.

Among other constructive plans, the author offers one to offset the cost-production plan. It calls for a sliding scale of rates on different classes of goods, the rates "to slide" through ministerial action when custom figures indicate a definite quantitative relation of imported goods to the domestic production of the *same* goods. This scheme would apparently return to Congress its full discretion, facilitate the administrator's own operations, and add salt to the Hampton case. The main devil in the democratic process, however, which the author is after, the self-regarding private interest, directs the use of presidential discretion. According to Professor Schattschneider's *Politics, Pressures, and the Tariff*, the same devil directs the discretion of Congress. Which scheme offers the better opportunity for effectuating the public interest? The reviewer prefers the administrative or the Republican scheme antedating the New Deal.

JOHN P. COMER.

*Williams College.*

*An American Experiment.* By E. M. HUGH-JONES AND E. A. RADICE. (London: Oxford University Press. 1936. Pp. viii, 296.)

*Sold Out.* By ISAAC LIPPINCOTT. (New York: D. Appleton-Century Company. 1936. Pp. xv, 298.)

*Truth About the New Deal.* By ROBERT L. LUND, HOWARD E. COFFIN, AND CHARLES W. BURKETT, IN COLLABORATION WITH EARL REEVES. (New York: Longmans, Green and Company. 1936. Pp. x, 117.)

If the New Deal has done nothing else, it has provided an almost inexhaustible source of controversial material for writers, and has injected a note of partisan bitterness into American politics the like of which has not been seen since the Civil War.

*An American Experiment* was intended primarily for British readers,

but it may be read with profit by Americans. It contains a brief but readable summary of New Deal measures, with an analysis of their aims and an estimate of their results. Both praise and blame are meted out, but the blame is not of a sort calculated to give comfort to the American Liberty League. The authors hold no brief for economic individualism, and give little weight to the oft-heard contention that the depression was curing itself without governmental interference, or that, once the collapse had been prevented, business should have been left to do as it pleased. Most of the President's objectives are commended, but his program as a whole is criticized for lack of planning and foresight, for inefficiency in some phases of its execution, and for failing to give adequate protection to the interests of consumers and wage-earners. The conclusion is that the performances of the New Deal have fallen short of its promises, but that some substantial achievements have been realized in alleviating destitution, aiding economic recovery, limiting special privilege, and in the development of new ideals of social security. Far from favoring the propertyless classes unduly, one of the chief accomplishments has been "the restoration of solvency to American business and agriculture."

The theme of *Sold Out* is that we have sold our liberties and our greatness as a people for a mess of New Deal pottage—or that we have bought the illusion of security at a staggering price which must be paid by our unborn children. The government, it is alleged, is selling our people into tax serfdom or debt slavery, persecuting and ruining industry, supporting an army of vagabonds at public expense, and destroying the highest values in our civilization. By embracing the "senile European doctrine that makes abundant use of the word 'social,' " it is leading us to Communism, and our only hope of salvation lies in a prompt reversal of policy. Professor Lippincott is a "liberal," but his liberalism is that of Hoover and Ogden Mills, rather than that of Roosevelt and Tugwell. He is skeptical of "brain trusts" and the use of superior intellect in government, and doubts the power of man to regulate social forces. While arguing for individualism in economy, he notes the dangers arising from a rapid exhaustion of natural resources. Presumably he believes that uncontrolled exploitation is the best method of conservation. While referring to "social reformers" and "the more abundant life" with contempt, he professes great sympathy for the poor, who, he says, are the real sufferers from the policy of "soaking the thrifty." He has an easy literary style, but is somewhat dogmatic in tone, and descends occasionally to such unprofessional hyperbole as "bowlegged boondogglers," "grimacing gargoyles," and "Tugwellian enterprises lubricated with an emulsion of superheated idealism."

*Truth About the New Deal* does not quite live up to its promise, although perhaps we should not expect much of a work with such a naïve title. It

is merely an unrestrained attack upon the Roosevelt Administration, and the method of attack is the one made familiar by the Hearst newspapers. Indeed, Earl Reeves, one of the authors, is a Hearst writer or "interviewer." The New Deal is condemned for its alleged communism, radicalism, regimentation, *alien* as opposed to *American* ideals, and for slaughtering little pigs. The main contention is that the American capitalist system is the most efficient and most benevolent one ever devised, that it has made the United States the greatest nation in the world, and that any attempt by government to regulate it is futile and dangerous. Some readers will be surprised to learn that wealth and income in the United States are really very equitably distributed, that employers altruistically kept their employees at work throughout the depression, that industry voluntarily abolished sweatshops and child labor and "coöperated loyally" with the government under NRA, and that the company union is the only "sound" plan for conducting employer-employee relations.

Of the three books here reviewed, *An American Experiment* is the only one which can lay any claim to objectivity. The other two read very much like Republican campaign literature.

ROGER V. SHUMATE.

*University of Pittsburgh.*

*The Living Jefferson.* BY JAMES TRUSLOW ADAMS. (New York: Charles Scribner's Sons. 1936. Pp. vii, 403.)

The radicalism of one age is often the conservatism of the next, but it does not follow that the radicals of one age, could they live again in a later time, would be conservative. Any innovation in political forms or practices is usually "radical" before we become used to it; and in this sense Mr. Adams makes out, in his always clear and readable way, an excellent case for the radicalism of Thomas Jefferson. If anything, the case is too well made, for the "American dream" is made to appear unique even where it followed old and well-established precedent. For his own time, Jefferson lives in Mr. Adams' pages the broadly varied, always cultured, and aristocratic life that marked his singular career.

When he brings the sage of Monticello to life in 1936, however, to sit in judgment on the contemporary scene, Mr. Adams is stepping beyond the sphere of the historian. In effect, the able, though one-sided, interpretation of Jeffersonian ideals and principles which comprises the first fourteen chapters of the book is used by the author as the excuse for a wholly gratuitous attack on the New Deal in the remaining two chapters. The preface leaves little doubt that the peroration is intended as the justification for the volume.

Throughout the account of Jefferson's career, the ground is skillfully

prepared, by careful selection and by no less careful omission, for the main points of the denunciation of Jefferson's present successor which is to follow. We are told, for example, that the founder of Mr. Roosevelt's party would have hailed the NRA decision as a blow to monopoly and special privilege; yet Jefferson had much to say in his own day on the unwarranted usurpations of the Supreme Court, denouncing with especial vigor its assumption of a right to declare acts of Congress unconstitutional. We are told also that Jefferson "was no believer in having the people decide all questions for themselves, and turning their judges, legislators, and executives into 'office boys' or 'rubber stamps' " (p. 360); yet Jefferson made it amply clear, in his letter to John Taylor, May 28, 1816, that he held elected representatives to be bound by the will of their constituents. It is asserted that Jefferson would not have included in his catalogue of rights a "right to work"; yet in his letter to the Rev. James Madison, October 28, 1785, Jefferson argues that if government allows the earth to be appropriated, "we must take care that other employment be found for those excluded from the appropriation." In his haste to condemn "unconstitutional" extensions of executive power, Mr. Adams seems to have forgotten the Louisiana Purchase, the Burr conspiracy, and the Embargo; and though the word "dictator" slips easily from his pen, he never once notes the frequency with which that charge was leveled at Jefferson's head. He likewise neglects to mention the fanatical hatred with which Jefferson was regarded by a considerable proportion of his contemporaries.

The final chapter, "Jefferson Today," has primarily to do with Mr. Roosevelt, who ultimately emerges, with the aid of innuendo and a few misstatements of fact, in the guise of a modern Hamilton. A few pages descriptive of European dictatorships follow to clinch the argument, and the exhortation ends. To attack the present Administration for contradicting the principles of Jefferson, who dreaded and feared above all things the political dominance of a capitalistic class, seems a strange perversion of truth; but Mr. Adams has given ample evidence of his aversion to the New Deal, and in his own words, "any stone is good enough to shy at a dog you do not like."

CHARLES M. WILTSE.

*Washington, D. C.*

*The Rôle of the Bar in Electing the Bench in Chicago.* By EDWARD M. MARTIN. (Chicago: University of Chicago Press. 1936. Pp. xxvii, 365.)

The title of this book is too restrictive. It creates the impression that the work deals with local conditions only, whereas its scope is much broader and its conclusions more general.

True, it is mainly a history of the selection of judges in Chicago and

an analysis of the activity of the Bar. This history, however, is considered against the background of the general history of judicial selection, and the analysis is made in the light of the experience of other communities. The conditions in Chicago—the rôle of the Bar, the merit of its recommendations, its influence, the sinister influences that thwarted its efforts—are not different, except in minor details, from the conditions elsewhere. The work quite generally exposes the error of choosing judges by general election. The chapter on "Partisan Politics" is such a clear indictment of the elective system that every fair-minded reader will find it a "true bill."

That conclusion, however, is the deduction of this reviewer. It does not indicate the character of the book. The author does not attempt an argument for or against any system. His approach is that of the scholar interested in social problems; his collection of data is thorough and his treatment scientific. His style is interesting and clear. The book collects a vast amount of needed information and arranges it in tables, charts, and graphs, so as to make it readily available for comparisons and vivid portrayal of tendencies.

The selection and tenure of judges is an important problem in the United States today. It is a major item on the program of the American Bar Association. Constitutional amendments affecting selection and tenure of judges are pending in many of the states. Mr. Martin's book is therefore quite timely. It is the first general analysis of the results of the elective system and the Bar primary. The *locale* of the study is fortunate, because Chicago was the first jurisdiction to adopt the Bar primary. One is surprised to learn that its experience covers half a century.

It is not to be expected that lawyers and students of government will all agree with Mr. Martin's "Proposed Plan." His study, however, reveals certain fundamental truths and will form the basis of a plan. It reveals clearly that the Bar can, and should, be trusted to lead in the selection of judges. It shows that an enlightened electorate looks to the Bar for leadership. The influence of the Bar, however, has been nullified by the machinery of organized politics. Some plan must be devised, therefore, that will permit the influence of the Bar to be delivered more effectively.

Thus far, the problem has been treated mainly by opinion, generalization, and surmise. This book is a notable contribution to the scientific data necessary for a solution. It is still, however, the kind of information that Aquinas termed *exteriorization;* when it is translated into the kind of knowledge that he called *immanence*, the problem will be solved.

ROBERT N. WILKIN.

*New Philadelphia, O.*

*Under the Axe of Fascism.* By Gaetano Salvemini. (New York: The Viking Press. 1936. Pp. xiv, 402.)

In his most recent work, the well known author of *Fascist Dictatorship in Italy* (New York, 1927) and of numerous critical monographs on Italian Fascism, has investigated some of the "bread and butter" aspects of Premier Mussolini's political system. Centering his attention upon the worker, the peasant, and the professional classes of contemporary Italy, he has tried to show how the Fascist dispensation has affected their economic status and control over their economic destiny. The result of the author's activity is an amazing story of political deception, fiscal jugglery, economic repression, and economic decline. It tells how the real wages and living standards, particularly of the peasant and worker, have been forced downward during the past ten years, the process being strongly accelerated by the mistaken policy adopted in revaluing the lira, by the fiscal requirements of the heavily augmented party and state bureaucracies, and by the unwillingness or inability of Fascist leaders to demand sacrifices from capital enterprise proportionate to those required of labor in the form of wage cuts. It is also a revelation of bureaucratic incompetence, of the arrestation of progress towards social amelioration made prior to the advent of Fascism, and of mounting unemployment, poverty, and beggary. Throughout the story, but more especially through the first half of it, runs a scathing indictment of the vaunted syndicalist and corporative features of Fascism. What Premier Mussolini's spokesmen have alleged to be an instrument of class coöperation and an expression of the régime's benevolence towards the worker becomes, in the pages of this work, a mechanism for the worker's repression operated behind an ornate propagandist façade of paper institutions erected chiefly for the delectation and instruction of credulous foreigners interested in constitutional novelties.

It will probably not be difficult to discern the author's inveterate hostility to all things Fascist in the pages of his latest book. Irony and sarcastic comments at the expense of Premier Mussolini's government and its activities abound. Moreover, it still seems necessary to him to include the now standard anti-Fascist chapter disproving that the Fascist leader and his quadrumvirs "saved" Italy in 1922 from "bolshevism, anarchy, and chaos." Nor has it seemed at all superfluous to Professor Salvemini to devote paragraph after paragraph to the task of exposing even the most blatantly untruthful and the most patently fatuous of the Fascist propagandists. These inclusions, however, although they may make for some monotony and repetition, do no fundamental harm to the really scholarly character of his work. Under conditions which must often have been difficult, he has gone directly to Fascist sources, to official documents, and to Italian newspapers and periodicals, in order to substantiate

his opinions and conclusions. The result is a book which, despite the well known sympathies of the author, is as unbiassed and objective a description of Fascism in operation in the Italian peninsula as can well be obtained. In its pages, as in no other recent book on the subject, the American reader may penetrate beyond the constitutional and philosophical fictions of the régime and its superficial glamour to the realities of its behavior. These reveal the dictatorship's *polizeistaat* with all its unlovely characteristics, chief of which appear to be civil servility, bureaucratic lethargy, social indifference, and, above all, ruthless repression.

ARNOLD J. ZURCHER.

*New York University.*

*Fascist Government of Italy.* By HERBERT W. SCHNEIDER. (New York: The Van Nostrand Company. 1936. Pp. xii, 173.)

Again Mr. Schneider offers us valuable assistance in the effort to understand post-war Italy. His first book supplied a wealth of documents, with their interpretation, on the rise of the Fascist movement; the second, in collaboration with Mr. Clough, was a study of the processes by which the Fascist mind is engendered and fostered. The book under review is one of a series of little manuals (some 45,000 words) on various countries designed to give the college student glimpses of the kaleidoscopic picture of European government.

First we have an exceedingly suggestive characterization of the land and its people; the geographic limitations and regional differences, with a slight mention of the historical background. The structure of the Fascist government is summarized, from constitution, monarchy, and bureaucracy to judiciary and taxation, with constant suggestion of the all-pervasive influence of the party. In sharp contrast with the emphasis in Mr. Schneider's previous books, over half of the present book's space is devoted to matters economic, both the corporative system and the gradual evolution of Mussolini's policy—toward labor, agriculture, industry, foreign trade—and the possibility of autarchy. There follow summaries of foreign and colonial policy, and of the government's relation to education, the press, art, and the Roman Church.

A notable motif is anti-totalitarianism; the author would disabuse us of the notion that Mussolini is the whole thing. "The acts of the government are incidental, occasional, possibly crucial, but never all-inclusive. . . . A dictator especially must be popular and can govern only because he knows how to be governed." It is even suggested that "whether the Grand Council can be controlled by the prime minister, and, if need be, 'packed' by him, is another speculative question."

Those who suppose that the nomination system has made the Chamber of Deputies substantially representative of Fascist-organized labor will

be interested to observe that of the deputies elected in 1934 office employees and mechanical and agricultural laborers accounted for a total of only 10 out of the 400. Since wages are calculated on an hourly basis, furthermore, the introduction of the 40-hour week meant a substantial reduction of wages, and labor forces are "rather bitter about their victory" in this matter. This is especially significant since "in 1934 the internal price of wheat was about double the world price."

Upon the corporations scheme, the cut-and-try vacillations in its evolution, the high-sounding promises of social collaboration of classes, the unsystematic yieldings to pressure groups, and other economic facts, Mr. Schneider gives a wealth of statistical information. The scholar will welcome many judicious observations, but the college student may feel that he is being gratuitously complimented when it is remarked that "the whole scheme is quite intelligible." Practically, after ten years of experimentation, a 22-unit plan, the latest model, is just beginning to take effect. One still gets the impression, however, that the corporations have not solved the problems of capital and labor, but are mainly a party mechanism—a gadget that combines the functions of shock-absorber and prettily painted hood.

HENRY R. SPENCER.

*Ohio State University.*

*The League of Nations and the Rule of Law, 1918–1935.* BY ALFRED ZIMMERN (London: Macmillan and Company. 1936. Pp. viii, 527.)

In this book, the well known professor of international relations at the University of Oxford examines and evaluates the League of Nations primarily as an organization for carrying on relations among states. While he is a strong believer in the usefulness of the League as an agency for the conduct of the international affairs of states, he does not allow his eyes to be blinded to its defects and shortcomings. His conclusion is that the League in its working has justified itself as such an agency and that there is every likelihood that it will become a permanent part of the political arrangements of mankind.

He begins by comparing its methods of conducting international affairs with those of the old diplomacy prior to the World War, pointing out as he proceeds the shortcomings of that diplomacy. The most important of these was its inadequacy and its unfitness for handling effectively many of the problems with which it had to deal. One of the great merits of the League is that it provided a better method and technique.

From this preliminary study, the author turns to an analysis of the Covenant and an examination of the League, always from the point of view of its character as an agency for carrying on the international business of its member states. Emphasizing that it is neither a super-state nor a federation nor an alliance, he characterizes it as being more nearly

akin to an association or trade union or coöperative society of states. It is in fact an instrument of coöperation, its actual character at any moment being determined by the degree of willingness on the part of its members to coöperate with one another. But it must never be forgotten that in and by itself it is politically impotent. Its power does not reside in a Tabernacle at Geneva; that power is communicated to Geneva by the peoples of the member states; it is their will, and their will alone, that makes the League a living reality. The failure of people to recognize this has been the cause of frequent disappointment with the actual achievements of the League.

The author divides the League's history into four periods or phases. The first of these was the period of gestation, 1919–20. The second, 1920–24, was characterized by the development of the League's technical activities. The third, 1924–29, saw it become a "standing political conference" attended by foreign ministers, including such statesmen as Chamberlain, Briand, and Stresemann. It was during this period that the Locarno agreements, the Treaty of Mutual Assistance, the Geneva Protocol, and the Pact of Paris were brought forth. The fourth period, 1929–35, coincided with the era of economic depression which exerted a continuous and demoralizing influence sapping the vitality of the whole system of international coöperation as it has been developed since 1920. Somewhat paradoxically, the economic crisis, instead of reënforcing the dawning sense of the social solidarity of the world and strengthening the authority of the League for collective remedial action, rather turned the "small-scale minds of the afflicted peoples" in the direction of a rampant non-coöperative nationalism. It was during this fourth period that the League was put to its severest tests by the Japanese aggression upon China and the Italian conquest of Ethiopia. It failed in the first case because none of the Great Powers was willing to take the lead in action against the aggressor. It failed in the second case for want of vigorous concert of policy among the members of the League after they had begun action against the aggressor.

Under the caption "The League as a Working Machine," Professor Zimmern discusses, in turn, the organization, functions, and procedure of the principal organs of the League: the Council, the Assembly, and the Secretariat. All the signs indicate, he says, that the policy of steady enlargement of the Council is likely to continue; and while the effect has been to alter the original purpose of the Council, it may be for the best. Of the several functions of the Assembly, the most important is to provide a forum for the discussion of world affairs. While it is no longer a Congress, it is difficult to describe what it has become. Perhaps we may say that it "is simply the first outward and visible manifestation of the authority of the rule of law in the world."

The Secretariat is described as "the residuary legatee of the power which flows into Geneva from the various centers of government." Its history shows, unfortunately, that those who once believed that it would be possible to keep it uncontaminated by politics were mistaken. In fact, there has been a constant conflict between its technical and political functions, and the former have often come off second best. High appointments in the Secretariat, although theoretically made by the Secretary-General with the approval of the Council, are in practice made with the approval of the government of which the appointee is a national, and from the first he is bound by a double loyalty and is subject to a double control—that of the League and that of the state of which he is a national. In these circumstances, it is impossible to build up a League secretarial staff which is at once loyal and united.

In his final evaluation of the League, the author very properly considers its first and major function to be the abolition of war and the feeling of insecurity resulting from the fear of war. Its second important function is that of helping its member states to discover "sensible" ways of dealing with their own affairs. This is what is meant by the familiar words of the preamble of the Covenant: "the promotion of international coöperation." It is upon the contribution of the League in this second capacity that Professor Zimmern's book is intended to throw light, and it is a satisfaction to the reviewer to be able to say that the author has not failed to achieve this object.

JAMES W. GARNER.

*University of Illinois.*

*On the Rim of the Abyss.* By JAMES T. SHOTWELL. (New York: The Macmillan Company. 1936. Pp. xiv, 400.)

For those interested in recent diplomacy, and much more for those interested in the control of war and the building of international government, this is a book of some importance. It represents the considered views of a man who has probably been more intimately connected with this new preoccupation of diplomacy than any other unofficial person in the world. His conclusions deserve careful study, and indeed cannot be overlooked by students of this subject. The book contains some *matériel inédit.*

The title derives from a speech by M. Paul-Boncour, who likens the hell of war to the concentric circles of Dante's Inferno, which narrow from the outer rim of greatest security as they deepen to the center where reside those most threatened by war. And on the first page is a phrase which, it later develops, is the author's thesis: "coöperation of every nation according to its needs and capacities."

Convinced that there is no other alternative to the anarchy of the

past, the author's real interest is to discover why collective action has not worked better in its recent tests, and what changes could be made to improve its action. He analyzes the various elements of the peace movement in the United States and thinks that nationalism is closing in upon its confused and disconcerted forces because they mistakenly believe that international coöperation means participation in other people's wars. The inconsistency and impossibility of our current neutrality legislation is laid bare in Chapter III.

New light is shed upon the origins of the Pact of Paris in Part II. Briand, in conversations with the author, thought in terms of three grades of relationships: those under the Pact of Paris, those under the Covenant of the League, and those under the Treaties of Locarno. The Pact of Paris laid down minimum universal obligations for peace; Locarno had made security a regional matter for France; he therefore did not expect the United States to play a hand in Europe. On the other hand, the development of the "good neighbor" policy, the ratification of the Argentine Anti-War Pact (which demands a solitary attitude on the part of neutrals), and the success of the Montevideo Conference create regional interests and responsibilities for the United States, soon to be explored at Buenos Aires. A study of public opinion (Chapter VI) reveals further that peoples will accept responsibilities for peace only when their own interests are involved.

Many thinkers have reached this conclusion; some are reduced by it to cynical despair; others would try to educate peoples out of it. Dr. Shotwell, however, accepts it and builds upon it. The history of the League shows that its members are no more willing to accept responsibilities for peace in Asia or South America than is the United States to do so in Europe. It shows also that the United States must work with the League, whether out of it or as a member of it. For the former contingency, Dr. Shotwell proposes a protocol to Article 11, and insists (mostly correctly) that in this case the chief duty of the United States would be to distinguish between belligerency (national war) and sanctions (international police). The United States could enter the League under a joint resolution accepting the Pact of Paris as the one universal obligation under the Covenant, recognizing the possibility of further obligations for states which desire to assume them in regional agreements, and refusing any obligation to apply sanctions of any sort except as the United States might decide for herself. Opportunity is now given for this in the Pope Resolution.

Thus Dr. Shotwell seeks to make the League universal by permitting differing grades of responsibilities for its members as their own wishes and interests may dictate. Whether such a system would work effectively, time would tell; it seems now to be the only one possible of acceptance,

and therefore is worthy of consideration. The proposal will seem futile to those who wish to reach their objective in one step; Dr. Shotwell accepts the maxim *solvitur ambulando.*

The book is full of thoughtful reflections and of constructive suggestions (e.g., for the solution of the Japanese problem). It is written in a gentle and persuasive style, with rarely a caustic word, and should be read slowly and reflectively by those who seek a way out of the present *impasse.*

CLYDE EAGLETON.

*New York University.*

*The Balance Sheets of Imperialism.* BY GROVER CLARK. (New York: Columbia University Press. 1936. Pp. 136.)

*A Place in the Sun.* BY GROVER CLARK. (New York: Columbia University Press. 1936. Pp. 235.)

*Raw Materials and Colonies. Information Department Papers, No. 18, Royal Institute of International Affairs.* (New York: Oxford University Press. 1936. Pp. 68.)

While the United States is in the process of liquidating the richest of her colonial possessions and is threatening to release another dependency, certain other peoples are straining the peace of the world and draining their resources in campaigns of imperialist expansion. One people seems to have concluded that colonies do not pay, while other peoples insist that colonies are necessary for their continued existence. These popular conclusions are not based upon a scientific examination of the facts. A balance sheet, compiled from the actual records, was not heretofore available but has now been provided by Grover Clark in two companion volumes. In *The Balance Sheets of Imperialism,* he presents the statistical material, together with a concise summary of the conclusions which he draws from the evidence. *A Place in the Sun* represents a more general and less technical discussion based upon the same material.

To the question of whether colonies pay, Clark's answer is emphatically in the negative. The records show that colonies do not serve as an outlet for population pressure. The total net emigration from Europe in the past fifty years was a little over nineteen millions. Of this number, less than half a million went to the European-controlled colonies, and the total net immigration during the period was only one-tenth of the increase in Europe's population. As for trade, the figures show that political control does not to any very important degree determine its course. The British record even suggests that the metropolitan country's share of trade is in inverse ratio to its political control. But in any case, "the official records show that the direct and indirect expenses of the colonies in the past half

century have been a good deal more than any possible profits in all the trade with them." With respect to access to raw materials, the evidence leads to the conclusion that political control gives only minor advantages.

To students of the problem, these findings are not startling. No quarrel is to be had with the conclusions. The study, however, lacks completeness. Statistics on the record of the Netherlands are few, yet the Dutch statistics are unusually complete and available. Moreover, the Dutch have come more nearly making their colonial empire pay than has any other colonial power. Nor are all of the credit items on the credit side of the balance sheet included. Nothing is said about the profits which accrue to the colonial power from such items as the large imported personnel from the mother country which after about twenty years of service retires upon generous allowances paid by the colony but spent in the mother country, the advantage to the shipping interests of the metropolitan country, and similar items. In 1930, about 8,000 Netherlanders found profitable employment in the various branches of the East Indian civil service. Likewise, many of the figures are inadequately analyzed. As an example may be cited the statement that between 1865 and 1924 over 17,000 more Hollanders entered the Netherlands from the Dutch colonies than left for these colonies. This is probably a credit rather than a debit item. These repatriated Netherlanders were for the most part persons who had done well and had come back to Holland to live in comfort, so that indirectly their presence enabled the support of a larger population in the Netherlands than before.

The Royal Institute of International Affairs pamphlet deals with one phase of the general problem covered by Clark's volumes. After ascertaining what are the essential industrial raw materials, the importance of colonial production of these materials, and the raw material deficiencies of the leading industrial states, the authors of the study examine the direct and indirect restrictions upon access to the colonial raw materials. The study indicates that, with the exception of rubber, colonial areas represent only a small proportion of the world's industrial raw material production. The authors conclude that while the "direct restrictions upon the access of non-colonial states to colonial raw materials are a source of irritation to those states, . . . such restrictions are not at present far-reaching or important. . . . Access is hampered far less by them than by the indirect restrictions caused by the failure of international trade to revive. This source of trouble is world-wide, not colonial in scope, and it appears to follow that the chief remedies must be sought farther afield than in mere colonial readjustment. However, the authors admit that the direct restrictions are a potential barrier, and that there are non-economic considerations involved, such as questions of prestige, strategy, and psychology. And they conclude that the economic side of the prob-

lem "must be viewed in its proper relation to the psychological aspect." This is an excellent brief study—a model of sanity, clarity, and conciseness.

AMRY VANDENBOSCH.

*University of Kentucky.*

*Diplomatic Commentaries.* By VISCOUNT KIKUJIRO ISHII. . . . Edition of April, 1931. Translated and edited by William R. Langdon. (Baltimore: The Johns Hopkins Press. 1936. Pp. xxiv, 351.)

Mr. William R. Langdon and the Johns Hopkins University Press have placed American and European scholars under obligation by the publication of an English translation of one of the most important sources of diplomatic history that have appeared in the past decade. It is refreshing to find such a volume at a time when our presses are pouring forth a deluge of hasty and superficial interpretations of Oriental politics and culture. Too seldom are these works even scantily based on Japanese sources. Partly due to language difficulties and partly due to other causes such as Japanese disregard for the source materials of their own modern history, Occidental students have not had access to a range of authentic documents comparable to that of Western lands. Fortunately, in the past decade, a spontaneous interest in the development of Japanese institutions has stimulated the publication of numerous memoirs and collected papers of statesmen, soldiers, and diplomats. All this is to the advantage of the student who is seeking more than an obvious view of Oriental politics. It is, therefore, to be hoped that the initiative of the Johns Hopkins Press in the publication of a translation of one of these primary sources will be imitated by other promoters of scholarship in America.

The *Gaiko Yoroku* (better translated as "diplomatic commentaries" than as "diplomatic memoirs") was published in Tokyo in 1930. The book had a wide sale, and in April, 1931, it appeared in a revised edition, which Mr. Langdon now uses as the basis of his translation. Unfortunately for the scholar, the *Gaiko Yoroku* is not a straightforward, narrative explanation and defense of events in which the author has played a part such as is found in the typical memoirs of American and European statesmen. The book unmistakably has a *tendenz*. Viscount Ishii wrote to defend various foreign policies of his country rather than to throw more light on the pages of diplomacy. Thus the book is weighted down with discourses on the history of Japanese diplomacy during the past two thousand years, the economic development of Japan, international questions, and population and racial problems. All of these things we would rather learn from the pen of a writer whose profession is scholarship rather than diplomacy. But they can easily be skipped for the portions of the book depicting the course of international politics in which Viscount Ishii, as the diplomatic

representative of the most powerful state in Asia, played a conspicuous rôle. The translator has condensed or omitted a portion of the long passages in which the author expresses opinions that throw little light upon Japanese diplomacy. The reviewer, however, regrets that the translator retained in full Viscount Ishii's unenlightening chapter on "History Repeats Itself" and omits entirely the chapter on "Diplomacy and Propaganda." In this chapter, Viscount Ishii, as a "career" diplomat, has much to say of the methods of the Foreign Office in Tokyo, and, in particular, of the propaganda carried on by this department in foreign lands at the expense of two million yen and more per year. We know too little about the Foreign Office of Japan, and all of this chapter is significant.

Unquestionably, the recital of the experiences of this career official casts considerable light upon the diplomacy of the past forty years. While the reader is impatient at the amount of detailed description of diplomatic events that every school boy should know, he is repaid for numerous passages which make a unique contribution to our knowledge of international politics. Such, for instance, is the account of the Lansing-Ishii Agreement. Fortified with notes of the conversations which he made at the time, Ishii now accuses Lansing as being guilty of "deliberate misconstruction" in his interpretation of the agreement as non-political in nature, when speaking before the Senate Committee on Foreign Relations.

Ishii gives a short but illuminating account of a young official in the Foreign Office in Tokyo in the last decade of the nineteenth century, coping with the irritations growing out of the maintenance of extraterritoriality in a country where these privileges to foreigners had become bitterly resented. His account of the Boxer outbreak and the Congress of Peking, although sketchy and hackneyed, has a small element of eyewitness merit. On the other hand, his discussion of the three Anglo-Japanese alliances offers little that is new. The same is true of his story of the Russo-Japanese war, save perhaps for the part that Ishii himself played in the acquisition of a half of the island of Saghalien. As to the World War, Ishii gives an account of his part in persuading the Okuma cabinet to join the London declaration of the Allies—Great Britain, France, and Russia. Ishii has more to say about the "special interests" of Japan in China, but most of his remarks in this field are directed to the Lansing-Ishii Agreement, and we are able to glean little about the policy of the Okuma cabinet toward China in spite of the fact that when Ishii took the post of foreign minister in 1915 he inherited the policy of the Twenty-One Demands inaugurated by his predecessor.

The author is at his best in his chapters devoted to the League of Nations and international coöperation. As first delegate of Japan to the Council and the Assembly for the first eight years of the League's existence, Ishii almost lost his Japanese identity and became a nation-

less internationalist. Japan was not vitally interested in the political outbreaks in Europe, save as a possible menace to world peace, and thus, Ishii as president of the Council on several occasions, as a *rapporteur* on other occasions, and as a member of the sub-committees, played an objective part in the settlement of the Silesian question, the Mosul boundary dispute, and many other quarrels. The "Ishii tea parties," during the Corfu dispute, served a most useful purpose in the movement of this perplexing case toward ultimate solution.

In picturing the benefits of the League, the veteran diplomat becomes almost lyrical. "The League," he says, "is the clearing house of the world's diplomatic and military difficulties, of its administrative, economic, financial, and health problems, of the numerous other matters affecting the welfare of mankind. It is the great exchange mart and museum of knowledge and culture, the distillery and refinery of world peace. It is the sacred spot to which the statesmen of the world make pilgrimages, the magic mirror that exposes the intrigue of aggression and militarism, the house of correction for the disturbers of world peace. The author has every confidence that under the benigh protection of the deities of towering Mont Blanc and limpid Lac Leman the League will reach an ever greater estate, and he offers his prayers for its welfare." These fine words were written in 1931. But in 1933, after the magic mirror had exposed the militaristic aggression of the Japanese in Manchuria, the old diplomat, as a member of the Privy Council, voted in favor of Japan's withdrawal from the League. Viscount Ishii will meet embarrassment in case he ever publishes a revision or an extension of these memoirs.

KENNETH COLEGROVE.

*Northwestern University.*

*The Basis of Japanese Foreign Policy.* By ALBERT E. HINDMARSH. (Cambridge: Harvard University Press. 1936. Pp. x, 265.)

The present volume breaks no new ground, but it serves a useful purpose in directing attention to the futility of pronouncements against war and of peace pacts that fail to take into account the basic internal problems of countries such as Japan, Germany, and Italy. With ideas and facts gleaned from many sources, Mr. Hindmarsh analyzes once again the domestic difficulties that form the background of Japan's military adventure on the continent of Asia and of her recent expansion in foreign trade. The analysis is presented in a readable form, and facts are marshalled in logical support of the principal thesis—the importance of domestic problems in shaping the foreign policy of nations.

The book is divided into five chapters. The first is a brief and not altogether necessary survey of the geography and history of Japan. In the second chapter is presented the basic problem of Japan, the pressure of an increasing population in a land of limited arable area and limited

resources. The third and fourth chapters are devoted to an examination of the possible solutions of the Japanese dilemma, such as birth control, migration and emigration, agricultural expansion, and industrialization, with the conclusion that industrialization is the one promising outlet for the increasing numbers. A final chapter reviews the international repercussions arising from intensified nationalism in Japan, the aggressive trade rivalry, the new régime in Manchuria, the "hands off China" policy, and the possible planes of friction between Japan and the United States.

The main conclusions of Mr. Hindmarsh, and his arguments, are sound; but in some instances his factual statements and his interpretations are questionable. For example, the average annual increase of 380,000 in India's population (p. 48) is taken from the abnormal census period, 1911–21. The increase for earlier years was much greater, and the average for the decade ending with 1931 was 3,390,000. Mr. Hindmarsh (p. 80) points to a replacement of female workers by male workers in Japanese industry, but in the major industries, such as cotton spinning and weaving, the trend has been decidedly in the opposite direction. In view of the Japanese psychology, it is doubtful whether the suicide rate should be used as an index of economic distress. The author's tables (p. 83) show that the suicide rate per 100,000 in Japan has increased more slowly since 1920 than has the rate in Germany, France, England and Wales, or the United States. In the discussion of the recent increases in Japanese trade (pp. 152–167), insufficient emphasis is placed on the fact that much of the increase is only apparent and is due to the depreciated value of the yen. The Japanese claims for the Toyoda loom are accepted too readily (pp. 151 and 175). It is a good loom, but recent tests in the British Isles have demonstrated that it is inferior to a leading make of British automatic loom, and the present reviewer has been assured by mill managers in China that the American automatic looms are constructed more substantially and are capable of a greater output of cloth than the Japanese. Mr. Hindmarsh states (p. 181) that "as industrial activity continues in Japan, material standards of living will advance and necessitate a proportionate rise in wages." During the present industrial boom, the trend of industrial wages has been downward. An upward trend in the near future is not likely in view of the increasing pressure of population and the flow of labor from agriculture to manufacturing.

In his study, Mr. Hindmarsh presents a realistic explanation of recent events in Japan. It is an explanation that holds little promise for the future peace of the Far East; nor can it be expected to reconcile China to the loss of territory, resources, and markets vital to her own problem of population pressure and industrial expansion.

JOHN E. ORCHARD.

*Columbia University.*

*Philippine Independence.* By Grayson L. Kirk. (New York: Farrar and Rinehart, Inc. 1936. Pp. vii, 278.)

In this timely volume, Professor Kirk has presented a clear and essentially sound account of the forces that took the United States into the Philippines as sovereign in 1899 and that thirty-five years later caused Congress to enact a law that provides for the termination of that sovereignty in 1946. He has also examined the survival chances of the prospective Philippine Republic, found them not good, and suggested a reorientation of American-Philippine relations more conducive to the interests of the Philippines and the interests and honor of the United States than the program laid down by the so-called Philippine Independence Act. Weight is given to Professor Kirk's very definite conclusions by the obviously objective and scholarly character of his book. His conclusions are supported by fairly chosen and skilfully marshalled facts, and are presented with a restraint that adds to their strength.

In a brief preliminary chapter, the United States is depicted as acquiring the Philippines in a period during which expansionist and imperialistic emotionalism clouded its moral and political judgment. No new light is thrown upon this phase of Philippine-American relations, and in the opinion of the reviewer the chapter is not up to the high standard of soundness and adequacy that characterizes the remainder of the book. Continuing, the author describes the "old independence movement" that down to the end of the Coolidge era had failed to awaken any sustained American interest in the independence question. He then traces the development of American-Philippine trade relations along lines that have made the livelihood of the Filipino people and the financial stability of their government dependent upon an ability to sell a large volume of a limited number of commodities in the American market, which they can do only under a system of free or highly preferential trade. The grounds upon which certain American agricultural groups deemed such trade relations injurious to their interests are carefully examined and clearly shown to be almost entirely fallacious. The story of how these "anti-Philippine" forces combined with the Filipino political leaders and jockeyed and drove the "independence law" through Congress is related in some detail. Concerning this action of the American legislature, Professor Kirk speaks with a harshness that is fairly justified by the evidence that he presents: "But whatever nobility there may possibly have been in the gesture was completely overshadowed by an appalling indifference to Philippine welfare. Statesmanship had surrendered openly and callously to the dictates of lobbyists."

In a well reasoned estimate of the prospects for the Philippines under the existing law, Dr. Kirk concludes that economically they are almost hopelessly bad and politically very dubious—although the Common-

wealth constitution is recognized as providing for a sound system of government for the Islands. His constructive suggestion is that Congress and the Filipinos reconsider the entire question of American-Philippine relations and agree upon the indefinite continuation of some form of economic and political connection between the two countries.

This volume is an important contribution to our knowledge of a national problem that has now become more difficult and delicate than ever before. Professor Kirk's work should be of great value to the professional student of government, to those who are charged with responsibility for Philippine-American relations, and to the citizen who wishes to be accurately informed upon national affairs.

RALSTON HAYDEN.

*University of Michigan.*

*What is Communism?* By EARL BROWDER. (New York: The Vanguard Press. 1936. Pp. 254.)

In one sense, Mr. Browder's title is misleading. He does not answer the question, "What is Communism?" An old Bolshevik would rub his eyes with amazement over the unorthodoxy, particularly over the tolerance for other parties, manifest in this book; doubtless he would consider the author a "right deviationist." On the other hand, Mr. Browder is quite up to date; he follows meticulously the line laid down at the Seventh World Congress of the Third International, held in Moscow during the summer of 1935, which directed the formation of a United Front in democratic countries. As a result, the present book is a discussion of Communism neither as theoretically considered nor as aimed at in Russia today; rather, it is a clear and forceful statement of Mr. Browder's views upon the tactics and objectives which Communists should pursue in the United States during the next few years. By its ninth national convention recently held in New York, these views were written into the Communist party's platform for 1936; and at the same time Mr. Browder was nominated for the presidency. The work before us may, therefore, be regarded as at least a quasi-official party textbook for the current campaign.

The immediate aim proposed by Mr. Browder is the formation of a Farmer-Labor party which his followers are to support, "boring from within" until they succeed in aligning it with their fundamental purposes. The idea of such a party is, of course, not original with our author; on the contrary, it has been a cherished dream of both theoretical and practical politicians ever since the development of large-scale industry in the United States. Proposed methods of boring from within are somewhat more novel; they are to be practiced not only on the new Farmer-Labor party but also on other groups, e.g., left-wing Socialists, trade unions,

Negro organizations, and churches. It is likely that Mr. Browder will find the process rather more difficult than he anticipates. Assuming the emergency of a sizeable Farmer-Labor party by 1940, it is certain to contain many elements which—unless complete economic breakdown occurs meantime—will oppose strenuous resistance to Communist doctrine and leadership. In this connection, there is not a little unconscious humor in the author's defense of the "queer bedfellow" efforts now being made by Communists to proselyte for their party among devotees of the self-styled God of Harlem, Father Divine. "Our activity," the author somewhat smugly states, "is gradually succeeding in giving a social and political education to the Negro men and women who belong to Father Divine's church."

On the other hand, the political scientist and the general reader as well, will find Mr. Browder's discussion of many topics extremely interesting. What he has to say, for example, about Huey Long and Father Coughlin, to each of whom a chapter is devoted, is very much to the point—not to mention his frequent strong (but not too strong) references to William Randolph Hearst. Perhaps the most informing chapter in the book is the one entitled "How the Communist Party Works." It gives the impression of entire frankness and is particularly worthy of approval because it avoids all temptation to magnify the extent of the party following after the hackneyed fashion of ordinary politicians, and also of the Longs, Coughlins, Townsends, and other leaders of that sort.

ROBERT C. BROOKS.

*Swarthmore College.*

## BRIEFER NOTICES

### AMERICAN NATIONAL GOVERNMENT AND POLITICS

In his *William Jennings Bryan* (G. P. Putnam's Sons, pp. 513), Wayne C. Williams, special assistant to the Attorney-General of the United States, begins with the remote lineage of his subject, which includes the ancient Irish king, Bryan Borou—no good Irishman by the name of O'Brien fails to claim him. Mr. Bryan's family lost the "O" somewhere in the passage down the years. The author is a good friend and admirer of the great commoner. His enthusiasm for his subject is undeniable. While little of importance that is new to the student of politics is brought to light in the pages of the book, there is a great deal of interest in reading the stirring events of the campaigns of 1896, 1900, 1908, and 1912. They are all splendid lessons in political strategy. If one likes politics, he will enjoy re-living the years in which Bryan strove to bring Democracy into power. He will always be a picturesque figure and will be more appre-

ciated in years to come as an apostle of the liberalism of the nineteenth century. Mr. Williams, however, is too much of the apologist; the reader is aware almost from the start of the work that objectivity is lacking. The author carves out for us a figure of the peaceful, gentle soul who can stage a vigorous fight or outmaneuver the politicians in a contest of political skills. One can well understand from Mr. Williams' work the cause of the antagonism of Bryan's opponents, an antagonism bred not alone of the man's self-composure and self-confidence, but of his apparent self-righteousness. The author does not definitely state this and perhaps would not agree to it, but it is readily extracted from his writing. Bryan's fight for prohibition is not at the start, however, as some people suppose, a fight in behalf of private morals. Its genesis is found in Bryan's very justifiable opposition to the baneful influence of the corporate liquor interest in politics. Once in the rôle of an opponent of the liquor interests or any other group, Bryan stands out as a stubborn antagonist, even when circumstances seem to dictate a reasonable course of conciliation. One admires him for his courage, but not always for his foresight. This biography is a cross between a good sermon and a campaign biography. There is an abundance of moralizing and some measure of preaching—some of which is annoying and some of which is amusing. The spirit of the old-fashioned Y.M.C.A. secretary moves through the book, a spirit perhaps not unlike Bryan's. There are better biographies of Bryan, but none breathes deeper affection for the greatest of the Democrats.—JEROME G. KERWIN.

In *F. M. Simmons, Statesman of the New South, Memoirs and Addresses* (Duke University Press, pp. 535), J. Fred Rippy has compiled the campaign, tariff, and internal revenue speeches of a North Carolina politician who has enjoyed a long, if none too distinguished, career extending from the days of Reconstruction until the present. However, he is embalmed as a "statesman" before he is entitled to it by the classic Bierce definition. Since his political life was stormy, one is not surprised to find his partisan practices dubious. His political principles were as uncertain as his grammar, e.g., " . . . God's sun has ever rose" (p. 425). His ability to rationalize personal or local self-interest into the general interest is equalled only by his unsurpassed capacity to split infinitives, numerous excellent examples of which are furnished in this volume. With an agrarian, Whig, and Baptist ancestral background, Simmons entered Congress from a black (Negro majority) district by taking advantage of the color issue (shades of brown or black) raised by his Negro opponents. Failing of reëlection, he, as chairman of the Democratic state committee, succeeded in restoring white supremacy by disfranchising the opposition. Race hatred was often used as his chief campaign weapon. Later, he played a

leading rôle in passing a state prohibition law—a record which, thirty years later, when Alfred E. Smith was his party leader, served, along with subtle appeals to religious prejudice, to justify his party bolt, an action which proved his political undoing in 1930. Though he may have listened to the "whispering" of the "still, small voice" (p. 454), he often failed to heed its sterner commands. Professor Rippy promises a full-length biography which might well sketch on the canvas of growing industrialization in North Carolina the conversion of a "tariff for revenue only" statesman into a "competitive tariff" exponent, as well as describe his part in Wilsonian financial and tariff policies.—JASPER B. SHANNON.

*The Federal Constitution* ("Bulletin," Emory University, Vol. XXII, No. 7, pp. 1–53) consists of five lectures delivered at the Ninth Annual Institute of Citizenship held at Emory University. Outstanding are those on "The Constitution and State Powers," by W. F. Dodd, and "The Supreme Court: An Analysis," by Paul E. Bryan. In the former, the jural erudition long recognized in the works of its author is immediately felt. The contribution of Professor Bryan is splendid, except that he did not draw the conclusions that seem necessary from the numerous inferences of his data. If assembled facts appear to prove that one of the usual qualifications for a place on the Supreme Court is that of being a politician, I see no reason for the pat of the gloved fist. The essays by Professors Green and Robson on the historical and philosophical background of the Constitution are scholarly interpretations in the usual vein, but that by Graham Wright, on the Constitution and personal rights, in no wise deserves the perpetuation of the printed page. It smacks of the sacerdotalism of Blackstone and deserves a Bentham to provide it with the intellectual interment to which it is entitled.—CORTEZ A. M. EWING.

An indispensable *Guide to the Official Publications of the New Deal Administrations*, covering the period March, 1933, to April 15, 1934, has been given added value by the publication of a *Supplement* (mimeoprint, pp. 184) carrying the list forward to December 1, 1935, and embodying also many earlier entries found to have been omitted from the original list. The compiler is Mr. Jerome K. Wilcox and the publishing sponsor is the American Library Association. All entries are arranged alphabetically by the name of the issuing agency, and the work gives evidence of having been done with extreme care. In view of the appearance of Circular 6 of the U. S. National Resources Board, an appendix intended to list the publications of state planning boards was omitted from the volume; while a similar list of publications of state emergency relief administrations became so formidable that it will be issued separately when completed.-F.A.O.

In *A History of American Foreign Policy* (Thomas Y. Crowell Co., pp. xiv, 706), Professor L. M. Sears brings our diplomatic history down to the close of 1935. He has the happy knack of crowding much into short, crisp sentences. His treatment is generally clear and full enough for college students, although some omissions of consequence might be named. This edition is marked, "third edition, revised and enlarged," but the "revision" has not been extended to include the chapter on our entrance into the Great War. The 1919 model is still followed, with no mention of the revisionists and the revelations of the Nye Committee. While the theses of these people have not been fully established, their contributions and contentions cannot be ignored. The book contains a helpful bibliography for each chapter and a chronological table from 1492 to 1935.—DAVID Y. THOMAS.

### STATE AND LOCAL GOVERNMENT

Like the weather, the consolidation of governments is much discussed, but little is done about it. One of the best invitations to action is to be found in *Report of the Committee on Governmental Simplification* (Los Angeles County, California, pp. 219 mimeographed), "a semi-official body, nominated by cities and by private groups and . . . appointed and financed by the county of Los Angeles." Among the committee's members were Professors Emery Olson, Frank M. Stewart, and Russell M. Story. Its organization and procedure included studies by sub-committees of the major functions and preparation of recommendations by the chairmen of these along with the general executive committee. A second feature of the committee's work may best be described by quoting the report itself: "The work of this committee was aided through the assignment to its staff by the bureau of efficiency of the first two groups of apprentices or 'student investigators.' This title attaches to the positions created by the county as an experimental means of inducting into the public service carefully selected individuals trained in political science or related subjects in the major universities of the state. Under the practice, now proved successful, the college faculties nominated graduate students of proved ability from whom appointments were made for a period of one year by the bureau. At the termination of the year's service, a student investigator, now equipped with both academic and practical experience, is offered a position, so far as opportunity permits, in the permanent service with the county. The services of these investigators not only proved of value to this work, but conclusively established the merit of the plan employed." The committee stresses the importance of the metropolitan area and finds that the county as a political unit is sufficiently inclusive of and coterminous with the area to serve well as its political expression. This finding is balanced by a recognition of the rôle of "small community

units" and the fact that citizens are not yet prepared to centralize functions in the county. Certain services, the committee finds, may usefully be transferred to an adequately organized county government, with a policy-determining legislative body, a county manager, a short ballot, adequate staff agencies for finance, personnel, and planning, and functional departments coördinated through the manager. The committee recommends to the board of supervisors of Los Angeles county that proposals be submitted as charter amendments for popular vote. Shifts in administration of various services, such as health, police, public works, civil service, and purchasing, from the local to the county government would be permissive, and after a period of trial further charter amendments would be proposed transferring the administration and financing of the function generally to the county. Various details of the proposals—e.g., the provision for having the sheriff and district attorney run against their own records every four years, and the system of contracting by the local unit with the county for the provision of services—are of interest. This is a significant report.—JOHN M. GAUS.

*The Assessment of Real Property in the United States* (Albany, N.Y.: J. B. Lyon Co., pp. xxiii, 396), by Joseph D. Silverherz, is published as the tenth special report of the New York Tax Commission. It is an effort to present the organizations provided for assessments, supervision, review, and equalization in the forty-eight states. Each state is individually considered with these objectives in mind. The best contribution of the volume is its collection and analysis of the proposals for reform of assessment procedures, including the efforts to force full value assessments, the methods and technique of assessments, and the attempts made toward tax equalization. The author points out that defects of the present assessment methods result in complete escape of some properties from the tax-rolls, the failure of assessments to adjust themselves to changing values, inequalities as between urban and rural assessments, and the tendency to assess less valuable properties at higher rates than more valuable ones, and the inequalities as among individual properties. The author is convinced that the only real solution is state rather than local administration of the assessment machinery. He has included in his book an excellent bibliography on assessments and valuations. There are, however, important omissions, notably the 1934 study of E. B. Logan, *Taxation of Real Property in Pennsylvania*, and the *Report of the Pennsylvania Local Government Survey* published in 1935.—CHARLES C. ROHLFING.

Historical treatment of methods by which public responsibility for the destitute has been discharged could not be more timely than now. In

her *Three Centuries of Poor Law Administration; A Study of Legislation in Rhode Island* (University of Chicago Press, pp. xxii, 331), Margaret Creech wisely confines her study to a single state. Such a study is of wide value, however, only if the experience of the given state has been typical. Actually, the Rhode Island system has been so, as is pointed out by Edith Abbott in her introduction. Curiously, however, the author insists on the old notion that Rhode Island has been unique. "The poor ye have always with you," and to one who has sat in on local boards these last few years Dr. Creech's book makes familiar reading. If taxpayers were often reluctant to accept responsibility for comparative strangers, at least they took care of their own. If methods were sometimes harsh, so were they frequently in other aspects of colonial or even modern life. In the nineteenth century, institutionalization and centralization were slowly superimposed on local control. Institutionalization has completed a cycle and is being slowly reduced, but centralization continues. This books culminates with the adoption in Rhode Island of the departmentalization act of 1935. Dr. Creech has made an industrious and exhaustive study of Rhode Island documents. It might be wished that she had supplemented this with more field work. Often when she declares information lacking, a trip to a town and an interview with local officials would probably have cleared up the point. Nevertheless, the book is primarily a record of practical experience and therefore should be invaluable not only to students but to public officials whose work is concerned with welfare or relief.—C. C. HUBBARD.

*Housing Officials' Yearbook, 1936* (National Association of Housing Officials, pp. x, 244), edited by Coleman Woodbury, is the second yearbook of the Association. It is important both for its contents and for its illustration of the place of the professional society of civil servants in the new public administration now developing in the United States. The contents include the most useful and easily available surveys, by public officials, of policies and developments in public housing in the federal, regional, state, and local levels of government, a review of the work of unofficial agencies, discussions of selected major problems such as public relations, land acquisition, design, construction, management, and demolition, a section on English housing during the year, and a final section dealing with the work of the Association itself. Political scientists will find this yearbook a most valuable source of information concerning this complex field of public administration. They will do well to read the report of Secretary Woodbury (pp. 191–212) for the informed appraisals made and pertinent questions raised. The statement of the housing problem which he makes on pp. 204–212 is succinct, packed with experience and acute observation, even tempered, and of great value to those who may

care to introduce themselves to problems of housing. The bibliography, directory, and glossary are very useful. Discussions of building codes and zoning in the section of special articles on outstanding problems would add to the value of the yearbook as a comprehensive reference book. This is an excellent yearbook, and it should be widely known and used by political scientists who would acquaint themselves and their students with a frontier field.—JOHN M. GAUS.

*American City Government and Administration.* (Thomas Y. Crowell Co., pp. xiii, 773), by Austin F. Macdonald, is a revision of a text under the same title published in 1929. The book follows the same conventional lines as its original. Those parts dealing with the municipal problems most affected by the events of the past six years have been rewritten, revised, or reinforced with entirely new material. The chapter on the technique of reform is new, as are the sets of study problems appended to each chapter. As in the case of the first of all treatises on municipal government, the *Republic* of Plato, the author devotes attention to the social, economic, political, if not the moral, problems of the people of the city and attempts to integrate them with the governmental mechanism. Nevertheless, one fails to get from the book a feeling of the vitality and force of the social currents of the typical American city which motivate its governmental machinery and transcend mere charter provisions and acts of the legislature. The emphasis is laid on generalized statements of urban problems, a task which is clearly and objectively performed, rather than on the organization and practices of their administration. A minimum of space is devoted to the legal and constitutional problems of municipal corporations. This revision provides a general text on American municipal government that is comprehensive, well-arranged, and clearly and objectively written. What is lacking in details and case studies, the interested reader may readily supply from his own locality.—EARL L. SHOUP.

Like the three preceding numbers of the series, the *Fourth Yearbook of School Law: 1936* (M. M. Chambers, Washington, D.C., pp. 154), edited by M. M. Chambers, presents a summary of the decisions of the higher state courts, during the preceding year, in cases involving school law. The present volume includes fifteen chapters, each by a different author. Subjects considered include local school corporations and school officers; creation and alteration of school districts; certification, appointment, tenure, and retirement of teachers; rights and duties of pupils and parents; tort liability of school districts and school personnel; county and state school administration; school contracts and the acquisition of property; taxation and indebtedness for educational purposes; state institu-

tions of higher education; and private schools and colleges. Especially worthy of note is the supplement entitled "How to Find the School Law," which deals with both the methods and the materials of research and includes an annotated bibliography of constitutional, statutory, and case-law sources. Another added feature of the present number which increases the usefulness of the volume is an "index to jurisdictions" designed to facilitate locating the decisions of the courts of particular states.—CLYDE F. SNIDER.

*Some Features of State Educational-Administrative Organization* (American Council on Education, Washington, D.C., pp. 283 mimeoprint), by M. M. Chambers, is a manual prepared for the joint committee of the American Council on Education and the Social Science Research Council on administrative phases of state educational systems. A brief description, accompanied by a chart, is given of the principal central agencies having jurisdiction over public education in each state, a general survey of a summary nature being presented as an appendix. The agencies studied include, among others, the state board of education, state superintendent of public instruction, state authority for vocational education, governing boards of the state institutions of higher education, state textbook authority, state teachers' examining board, trustees of the state teachers' retirement fund, and the agency controlling the state library. The materials presented are based upon statutory provisions, "verified and supplemented by direct correspondence with the appropriate state administrative offices." Although the treatment is necessarily brief, the manual constitutes a useful summary and will facilitate comparisons and contrasts, as among the different states, with respect to administrative organization for educational purposes.—CLYDE F. SNYDER.

With the aid of Mrs. J. Kerwin Williams, Mr. Paul V. Betters has prepared a pamphlet, *Cities and the 1936 Congress* (U. S. Conference of Mayors, pp. 27) bringing up to date the author's *Recent Federal-City Relations* by summarizing matters pertaining to cities which were considered during the 1936 congressional session, together with a number of relevant decisions of federal courts. The data are presented mainly under the captions of finance, work relief and public works, and housing.

### FOREIGN AND COMPARATIVE GOVERNMENT

*The New Germany: National Socialist Government in Theory and Practice* (American University Studies in International Law and Relations, No. 2, pp. xv, 203), by Dr. Fritz Ermarth, is an admirably concise and lucid treatise, covering in rapid summary the disintegration of the Weimar Republic, the rise of the National Socialist movement, and the

constitutional and economic structure of the Third Reich. The most significant section of the book is Chapter IV, "The Economic State," in which Dr. Ermarth describes in some detail the mechanism by which the National Socialist state controls economic activity and ventures some evaluation of the results. He concludes here that the first three years of Nazi rule "appear to have consolidated the position of German industrial capital," but that "the masses of the population, particularly the urban wage-earners, feel but little of the recovery that is expressed in doubled and tripled industrial activities and in rising profits" (p. 170); that the "planning" is simply an attempt "to make things go" and to prepare the "nation in arms" for the "totalitarian war" (pp. 170–173). These conclusions are supported, not by mechanical Marxist formulae, but by painstaking organization of data coming primarily from official and semi-official sources. Dr. Ermarth relates his detailed exposition to a broad theoretical interpretation which makes German development significant for other industrialized countries where democracy still prevails. He believes that the totalitarian state was "an historical necessity" for Germany (p. 1), basically because "it was no longer possible to reconcile the existence of large class-conscious working masses with . . . private ownership of the means of production through the mechanism of political democracy" (pp. 176–177). Copious notes document fully the data presented and give evidence of the author's diligence and skill in compressing so much material into 184 pages.—JOHN D. LEWIS.

The biographer of Théophile Delcassé not merely is handicapped by the proximity of the events and the consequent difficulty of placing in accurate perspective his contribution to the diplomacy of imperialism, but an additional difficulty is the fact, pointed out by Charles W. Porter, in *The Career of Théophile Delcassé* (University of Pennsylvania Press, pp. 356) that Delcassé was peculiarly averse to the light of publicity in his public or private affairs. His penchant for the secret ways of the "old diplomacy," and his aversion to publicity became an obsession, resulting in his refusal to write his memoirs and in the deliberate destruction of papers which would doubtless have been of great biographical value. In spite of these handicaps, Mr. Porter has been able to draw on a wide range of materials, documentary and otherwise, for insight into the career of this enigmatic individual whose life was dominated by the desire for revenge against Germany. Following the methods of the older biography, the author strives laudably for detachment and objectivity. Throughout his pages, however, runs the implicit judgment that Delcassé was not only far-seeing, but wise in his conduct of his public responsibilities, and that to him France owes a heavy debt of gratitude. Mr. Porter does not share the view of Theodore Roosevelt that Delcassé was an "unbelievable

scamp," nor of those who believe he must share the responsibility for shaping policies which actually brought on the war. On the contrary, the genius of the Quai d'Orsay is represented as seeing with an "unerring eye whither Europe was drifting," and as building the Triple Entente, in consequence, for the protection of France. Mistakes of judgment were made, and Delcassé was "neither a saint nor an ogre." Yet he was "the greatest Minister of Marine and greatest Foreign Minister of the Third Republic."—G. BERNARD NOBLE.

In *The Making of Nazis* (Teachers' College, Columbia University, pp. 143), Professor I. L. Kandel not only has written an admirable description of the theory and practice of education in the Third Reich, but has made a valuable contribution to the literature of civic training. His volume is an excellent supplement to Paul Kosok's *Modern Germany; A Study of Conflicting Loyalties*, which was completed on the eve of the Nazi revolution and was published as part of the civic training series edited by Professor Charles E. Merriam. In four succinct chapters, replete with numerous citations to, and quotations from, German sources, Professor Kandel surveys the educational philosophy of National Socialism, the *Gleichschaltung* of the schools, the new "racial" history and social science, the militarization of youth, the repudiation of rationality and objectivity, the suppression of academic freedom, and the consecration of the rising generation to ideals of war, intolerance, fanatic xenophobia and megalomania, and to a heroic romanticism bred of collective masochism and sadism and inevitably directed toward collective murder and suicide. The author confesses himself a liberal and a democrat. His pages, however, are not an indictment but a description. The Nazi *Weltanschauung* is permitted to speak for itself. Its spokesmen lend ample support to the conclusion that German fascism is "a challenge to the democracies of the world" and utterly incompatible with truth, honesty, and enlightenment as these values have hitherto been defined in Western culture.—FREDERICK L. SCHUMAN.

Most of us wish to be realists in politics, but when a writer such as Waldemar Gurian, in *The Future of Bolshevism* (Sheed and Ward, pp. 125) attempts an analytical study of political process there is the probability of sharp differences in judgment. Mr. Gurian has studied the rôle played by ideology in the historical and social process rather than ideology itself (p. 78). In this, he is, with a difference, like Pareto, Spengler, Michels, and others. Bolshevism and National Socialism come together, in the analysis at hand, for "the methods of government in the National Socialist and the Bolshevik state are in their essential features identical" (p. 61). Such methods in the control of the masses "lead to a novel attitude towards the political and social order" (p. 90), that is, the dom-

inance of this order. Marxian and other phraseology merely cover despotisms which "make the masses the tool of the state; that is organize them exclusively, with the aid of the party which controls the state" (p. 47). But as National Socialism is superior to Russian Bolshevism, technically and otherwise, the real danger to be expected is from a National Socialism which has replaced the enfeebled bourgeoisie (pp. 111, 120–121). We live in an age when non-Bolshevists fear the masses; perhaps, it is intimated by Mr. Gurian, only an aristocratic moral force can be our salvation (p. 125). While we must heartily commend the author for his methodological technique, one is reminded also that prophecy is never expensive, though in most cases it is interesting.—FRANCIS G. WILSON.

Not content with giving the world a scholarly *History of Russia* some years ago, Mr. George Vernadsky has written a *Political and Diplomatic History of Russia* (Little, Brown and Co., pp. ix, 499) which can be recommended as the best brief work on the subject in any Western language. The Ukraine and White Russia are treated along with "Great Russia," and emphasis is placed on the growth of policies, with only such detail as seems essential; the result being a clear delineation of a certain fundamental unity of the Russian historical process which makes the present-day Russian policies—however much they may appear to the contrary—only the continuation of age-long development. Persons who dip into the book only for information on the Soviet régime, or other more recent aspects, will be disappointed; because the entire period from 1914 to 1935 is covered in barely fifty pages. A reading of the twenty-six chapters that precede will, however, contribute greatly to an understanding of what has happened in these later years and of the direction in which the Russian political and social order is today moving.

Although there are many books about Russia, Professor Dorsey D. Jones, of the University of Arkansas, "has felt the need in his own teaching of a general readable account of the development of her history" and has produced *Under the Russian Canopy* (Burgess Publishing Co., pp. 248). The result is another compilation based on secondary sources which, fortunately, does not pretend to any profundity of thought. The material is well arranged, but the readability of this history does not derive from any literary graces. The cautiously inoffensive conservatism and tirelessly unimaginative industry which characterize this tepid abridgment of pasteurized facts and generalizations will probably lead to its adoption for many classes in Russian history.—JOSEPH S. ROUCEK.

Complying with a request from the New York City Charter Revision Commission for information concerning governmental structure and func-

tions in larger European cities, with special reference to the powers and duties of the chief executive and to the relation of district or borough governments to the central government, Miss Sarah Greer, librarian of the Institute of Public Administration, has prepared an *Outline of Governmental Organization within the Cities of London, Paris, and Berlin, with Explanatory Charts* (Institute of Public Administration, pp. 41, mimeographed). The general information presented on the governmental systems of the three cities is for the most part familiar to students of municipal affairs, but four elaborate organization charts will be found of decided value.

### INTERNATIONAL LAW AND RELATIONS

Anyone who is seriously interested in following the progress of international organization, or in the suppression of the narcotics traffic, should find S. H. Bailey's *The Anti-Drug Campaign* (P. S. King and Son, pp. 264) profitable reading. The difficulties which must be encountered when states attempt by collective action to deal with a matter of common interest, even when supported by public opinion and not seriously hampered by conflicting national policies, are clearly portrayed. The author begins with a statement of the problem. He describes the nature of the raw materials, the method employed in obtaining the drugs from them, and the need for regulation at several points in the process, if suppression of the illicit trade is to be accomplished. To assist the reader to understand the problem, he has inserted diagrams which show the agencies and processes through which drugs of the opium group pass in their movement from the fields where the poppy is grown to the ultimate consumer. Then follows a history of the movement for international regulation, in which the author analyzes the several conventions, such as the Hague Convention of 1912 and the Geneva Conventions of 1925 and 1931. It is quite obvious from this account that the progress so far achieved in obtaining agreement on regulations and on measures for their execution is due in large measure to the existence of the League of Nations. The study is concluded with a critical examination of the operation of the measures adopted in the conventions. The importance of the import and export certificate for enabling governments to know the exact amount of drugs in the licit trade, of the Permanent Central Opium Board and other agencies associated with the work of determining the legitimate need of states and the value of specific drugs, of the agreement to restrict manufacture, and of the failure of agreement to restrict production, is clearly demonstrated. The reader is reminded that Mr. Bailey's emphasis is on international regulation, rather than on the drug traffic, by the concluding statement in which he points out that the experience in regulating the drug traffic should prove valuable to states should they attempt to regulate the arms traffic. The value of the book is enhanced by the in-

clusion of appendices in which appear the texts of all important conventions, a list of signatories, and a copy of the form used by the Permanent Central Opium Board in obtaining estimates of drug requirements from governments. As sources, the author has relied almost entirely on League documents. There is no bibliography, and no citation of secondary works. Mr. Bailey's study covers practically the same ground as Miss Eisenlohr's *International Narcotics Control.* The latter gives less attention to the conventions as such and more to the actual administrative work of the agencies of control. It has one commendable feature lacking in the book here under review; in her introduction, Miss Eisenlohr treats the subject of the regulation of the drug traffic as a whole, which gives the reader a clearer idea of the problems involved. This statement is not meant to detract from the value of Mr. Bailey's study, which should be informative and suggestive to any student of international organization.—H. B. CALDERWOOD.

*Anarchy or World Order* (Oxford University Press, pp. xii, 251) is the tenth series of lectures delivered at the Geneva Institute of International Relations under the general title "Problems of Peace." It contains lectures delivered by twelve speakers during August, 1935. All are addressed to a popular audience, and most of them contain little that is original or new. All, however, are interesting and all may be regarded as trustworthy. Dean Mowat and Mr. Arnold Forster attempt to cover too much ground in the first two lectures. Dr. H. Lauterpacht, discussing international law after the Covenant, is, as usual, concrete and constructive. Professor Whitton of Princeton explains the confused state of public opinion and of governmental action in the United States concerning neutrality. Dr. Guy H. Scholefield of New Zealand is instructive concerning the Far East and the collective system. Japan, he says, is the spearhead of the Eastern system in its resistance to the Western system, and will have hegemony in Asia unless the United States and Great Britain combine to stop her. Mr. Mortished, of the International Labor Office, calls for a world program of organic economic reconstruction; and Mr. Phelan, of the same institution, contributes an interesting discussion of the difficulties of an international civil service. Professor Zimmern is in favor of liberty and democracy in connection with the world order, but a little uncertain how to encourage them in these hard days. Professor C. A. W. Manning contributes twenty-five pages of rambling remarks, sometimes interesting, concerning the future of the collective system; Mr. Philip Noël-Baker handles the same subject in much more understanding fashion. Dr. M. J. Bonn, now of the London School of Economics, asserts that neither autarchy nor collectivism will do away with inequality—there must be economic coöperation and freer exchange. The editors have

saved the best until the last, for C. K. Streit, Geneva correspondent of the *New York Times*, offers a fascinating study of the power of the democracies of the world and what they could do if they could get rid of their present disunion.—CLYDE EAGLETON.

In *State Interests in American Treaties* (Richmond, Va.: Garrett and Massie, pp. x, 220), Dr. Nicholas Pendleton Mitchell undertakes to determine whether there are constitutional, or only political, limitations on the treaty-making power of the national government. This question of federal power most frequently arises with regard to treaties involving rights reserved by the Constitution to the states. Dr. Mitchell defines treaties involving state interests as those "in the negotiation or ratification of which the governmental authorities of any or all of the forty-eight states attempt to exercise a determining influence, either explicitly, or by implication; or in which state statutes or governmental agencies are called upon by the texts of the treaties to aid in any way in their execution" (p. 11). The list of treaties thus selected includes those dealing with international boundaries, immigration, treatment of aliens, alien property rights, conduct of commercial relations, consuls and consular relations, extradition, and the preservation of natural resources (p. 12). Chapters II–VII contain analyses of these types of treaties from the viewpoints of state interests in their origin, negotiation, subject-matter, and enforcement. Chapter VIII presents the author's conclusions, which substantiate the view put forward many years ago by Professor Edward S. Corwin of Princeton. In his monograph entitled *National Supremacy* (Henry Holt and Co., 1913), Professor Corwin demonstrated that the treaty-making power of the United States is "not constitutionally restricted by the police powers of the states" (p. 296). But "this does not mean," says Dr. Mitchell, "that there are . . . no restrictions on the treaty-power" (p. 154). There are "exceedingly important" "political limitations," emanating from "the interests of the states, and of groups of citizens within the states" (p. 154). These political limitations are, in the main, simply "the desires of state and local groups as expressed to their senators. And they are limitations which will exist so long as local pride and a desire for local advantage continue . . . " (p. 155). And the conclusion is reached that "such restrictions" afford "adequate" protection "against the abuse of the treaty-making authority" (p. 155). There are elaborate appendices containing lists of treaties in each category discussed (pp. 157–204). There is a comprehensive bibliography of published documentary sources and secondary works. And there is a good index. Taken together, this book and Professor Corwin's work cited above leave little to be said on the relations of the states to the treaty-making power of the national government.—HAROLD H. SPROUT.

Occasionally, even reviewers of academic books feel moved to enthusiastic praise. This reviewer feels that *Canadian-American Industry* (Yale University Press, pp. xv, 360), by Herbert Marshall, Frank A. Southard, Jr., and Kenneth W. Taylor, is a study definitely entitled to it. The subject-matter on which the authors have been engaged is extremely significant and clearly defined; the results of their research are organized lucidly; the book is written in an attractive style. This particular volume is the first to be published in a contemplated series of thirty on "The Relations of Canada and the United States." It is concerned with what is generally called "the branch-plant movement" and includes both American enterprise in Canada and Canadian enterprise in the United States. A detailed analysis of the branch interests of each country in the other describes their extent under the more important types (manufacturing, mining and smelting, public utilities, merchandising, miscellaneous) and names the companies and persons involved. In this respect, the volume becomes a handbook or directory for reference purposes. There follow, however, chapters discussing the motives which lie back of the establishment of foreign branches, the technique and structure of organization within companies having branches abroad, the economic results, especially to the companies, and the more general consequences and problems which derive from this particular phenomenon of business enterprise. In the text are incorporated valuable tables, and in the appendix is found an excursus on "The Canadian Balance of International Payments" by Frank A. Knox of Queen's University. The authors' contribution creates an indebtedness on the part of many groups of students: those interested in the economics of business structure, historians of Canadian-American relations, and perhaps most on the part of those persons calling themselves vaguely "students of international relations." Here at last is presented a unified picture of one phase of those private relations between citizens of different countries which constitute the real background of international political relations. Before the realities of world politics can be entirely understood, similar studies of all phases of these private relations between every pair of nations must be made. It is to be hoped that later studies in this Canadian series will deal more completely with the significance which the branch-plant movement may hold for the international relations of the two countries. To the Carnegie Endowment for International Peace must go credit for realizing that the conditions for an enduring peace must be found in the manifold private relations of individual citizens. When the series has been completed, we should understand better why peace has been preserved on the North American continent and what prospects there are for its continuance. An important task will remain, however, in publicizing these facts for those outside

academic circles who so materially influence foreign policy.—WALTER H. C. LAVES.

Few books have appeared on the mandate for Iraq, but Ernest Main's *Iraq; From Mandate to Independence* (Allen and Unwin, pp. 258) is a clear account of the mandate and answers most of the questions normally asked about this interesting experiment. Mr. Main has a background of intimate acquaintance with the country as a newspaper editor and reporter. He has personally reported most of the important events and has known the characters who shaped them. The book deals primarily with the period of the mandate and is written from a critical British point of view. In his discussion of the origin of the mandate and its administration, the author evidences his feeling for the people of the country and his sympathy with their difficulties. The book is, therefore, vividly descriptive and not encumbered with legal or technical discussions. As a setting for his work, Mr. Main presents a socio-economic description of the people of Iraq, both the Arab majority and several minorities. The social, economic, and political problems faced by the Iraqi are described clearly. The control of oil resources and communications, and their vital importance to Britain, are emphasized. The significance of events in Mesopotamia during the World War is also made clear. This may serve to off-set the "Lawrence of Arabia legend" which has eclipsed these developments for so long and which has prevented a proper estimation of the rôle of Ibn Saud. Mr. Main's description of the Sunni-Shiah schism does much to aid in an understanding of internal politics. The author is positive in his criticism of certain aspects of Anglo-Iraqi relations. He blames the British Labor government for hastening the termination of the mandate, and although he praises the administration of Sir Percy Cox, he apparently feels that too little advantage was taken of the foundations laid by Sir Arnold Wilson. The book is repetitious in parts and lacks a bibliography, but it is valuable for its clear presentation of the relations between Great Britain and the mandate and the problems which now confront the Iraq government—a government independent internally but still dependent on the British for assistance in time of trouble and for good-will as a guarantee of continued existence.—WILLIAM C. JOHNSTONE, JR.

Although American scholars have, during the last decade, shown an increasing appreciation of the contributions made by their countrymen to the cause of international peace, it is especially gratifying to find a foreign scholar singling out for special analysis William Ladd. Dr. George Schwarzenberger, secretary of the New Commonwealth Institute, has,

in his *William Ladd; An Examination of an American Proposal for an International Equity Tribunal* (Constable and Co., pp. xviii, 78) confirmed the judgment of other students of Ladd in attributing high rank to his "Essay on a Congress of Nations for the Adjustment of International Disputes without Resort to Arms." Dr. Schwarzenberger analyzes the proposals of Ladd, compares them with earlier plans for the organization of peace, traces the influence of his work on subsequent efforts for the abolition of war, and shows how his ideas of international organization, freed from their narrower significance for their own time, are today of considerable importance in the politico-juridical field of international organization. While other students have emphasized as Ladd's particular contribution the clear separation between a Congress of Nations and a Court of Nations and his proposal that the Court take cognizance of all, including political disputes, Dr. Schwarzenberger attaches even more significance to Ladd's discovery of more or less rational and tangible tests by which so-called non-justiciable disputes might be determined. Moreover Ladd, unlike his predecessors, took the precaution of providing a safety-valve in the form of means of changing from time to time the existing *status quo*. Ladd's scheme was, of course, not without its weaknesses. In Dr. Scwarzenberger's opinion, it was unfortunate that Ladd provided for a purely optional reference of disputes to the Court. The American's proposal that every one of the states represented in the Congress should be entitled to appoint two judges was also impracticable. More important than these shortcomings was the over-confidence which Ladd placed in the force of public opinion as a sanction of decisions made by the Court: he did not see that public opinion cannot be isolated from its economic environment; nor could he have foreseen the rôle of the press, the radio, and the movies in pressure and propaganda politics. Dr. Schwarzenberger has supplemented Ladd's plan with certain proposals of his own for an international equity tribunal. His analyses and frequently illuminating suggestions make this monograph an interesting and not unimportant contribution to the literature of international organization. —MERLE CURTI.

The tendency to divide the United States into geographical sections for the study of economic and political problems indicates a growing sectional self-consciousness as well as a belief that certain problems can be studied more exhaustively if their consideration is confined to limited areas. Both of these interpretations may be made of the addresses, scholarly and popular, delivered before the third annual conference of the Institute of Public Affairs of Southern Methodist University and published under the title, *The Southwest in International Affairs* (The Arnold Foundation, Dallas, pp. 219.) The papers are arranged in three

groups relating to the Southwest in world trade, the Southwest and Latin America, and the broader aspects of American foreign policy. Naturally, the two divisions devoted to the problems peculiar to the region are the most significant contributions of the conference. In these addresses, W. E. Dunn, Charles W. Hackett, J. Lloyd Mecham, Peter Molyneaux—to mention only a few of the contributors—discuss the position of oil, cotton, cattle, rice, and sugar in the world markets. Inevitably, the review of that market situation leads them to urge a modification of the policies of economic nationalism which the nations have adopted within recent years. In surveying the relations of the Southwest to Latin America, the speakers call for an application of the "good neighbor" policy, not only in diplomacy, but in matters of trade as well. The papers devoted to the broader aspects of foreign policy prove that the members of the conference are alive to the conflicting interests, domestic and foreign, which shape international relations. But in the discussion of those policies no unusual interpretations are offered.—HAROLD W. STOKE.

The strict censorship of the French press during the Second Empire prevented the free expression of opinion on current questions. Students of the impact of the American Civil war upon the French people have received wholly inadequate impressions from the Parisian newspapers. Napoleon III, however, kept his imperial ear close to the ground and through the quarterly reports of provincial law officers—the *procureurs généraux*—was constantly informed of popular opinion in the areas of the twenty-eight imperial courts. The portions of these reports relating to American affairs have been gathered together by Lynn M. Case in his *French Opinion on the United States and Mexico, 1860–1867* (D. Appleton-Century Company, pp. xxiii, 452). The three parts of the volume deal respectively with the influence of the American war on French industries, the reaction of the French people, and the general public opinion on Napoleon's ill-advised Mexican expedition. Economically, the Civil War struck hardest in the cotton mills, and many factories closed their doors or curtailed production. But other French industries—clocks, hosiery, clothing, and luxury goods—suffered as well from the decreased trade with the United States. The coming of peace did not immediately restore prosperity, and the depression continued for some years. Meantime, French opinion wavered between a desire for peace and a dislike of slavery. In general, the *procureurs généraux* found both a widespread sympathy with the South and a determination to take no part in the conflict. The section on the French expedition into Mexico bears no inherent relation to those on the Civil War and might better have appeared under separate cover. The documents reveal a general apathy on the part of the French people to-

ward the Emperor's adventure, and the oft-expressed wish that the troops be recalled at the earliest moment consistent with the national honor. The book is well edited and competently indexed and constitutes a valuable addition to existing knowledge of an obscure matter.—W. B. HESSELTINE.

*British Economic Foreign Policy* (Macmillan and Co., pp. 250), by J. Henry Richardson, is the story of the efforts of a government steeped in traditions of democracy and laissez-faire policy to provide for the welfare of its citizens in a world suffering from acute economic and political insecurity. It presents clearly and briefly the special efforts of the British government to withstand both Scylla and Charybdis in the form of special lobby interests on the one hand and the temptations of totalitarianism on the other. For Americans, this summary of British policy holds a special interest. Like the United States, Great Britain has long cherished the idea of laissez-faire policy, while giving aid to special interests in distress or in a position to demand aid. Moreover, Great Britain, like the United States during the last ten years, has been trying to remove the contradictions and inconsistencies in this unplanned form of intervention and to substitute for it a more intelligent planned control. The idea of once more attempting strict laissez-faire has been definitely discarded. Dr. Richardson's summary concerns itself with monetary, financial, commercial, imperial trade, agricultural, and labor policies. He does not present a detailed analysis of each, but rather the broad lines and objectives. He finds that the main aims of economic welfare and national security are evident in efforts to reduce the need of some imports and to increase imperial preference. However, with the exception of British coöperation with members of the League of Nations imposing sanctions against Italy, he does not find any great effort to coördinate economic with political relations vis-à-vis particular foreign countries. In a concluding portion, he briefly appraises the degree of consistency attained and the broader implications of British economic foreign policy.—WALTER H. C. LAVES.

In his *Kiaochow Leased Territory* (University of California Press, pp. 150), Ralph A. Norem examines the conception of the international lease, in addition to considering the German leased territory in Shantung province. From that standpoint, his monograph will prove of interest to the student of international law. It is, of course, of particular interest to the student of the Far East. The study is divided into three parts: (1) the acquisition of Kiaochow; (2) its status; and (3) the administration of the leased territory. The concluding chapter is essentially a summary of the first section and an estimate of the effect of the acquisition of Kiao-

chow by Germany on other European powers. The author lays considerable emphasis on the Three Powers' intervention in 1895 as affording the basis for the demands which were made on China by the intervening states in the following years. At the same time, however, he shows that Germany's action was really determined by other considerations than her participation in the intervention. The investigations and discussions leading up to the decision to establish the German base at Kiaochow are treated adequately in the first section. The major part of the second section is devoted to a review of various points of view as to the status of colonial territories in German constitutional law, and as to the legal nature of the leasehold. The author's own definition is: "Territory over which the lessor state retains territorial right while at the same time it surrenders jurisdictional right to the lessee state, constitutes a public international lease." Under the head of administration, the author reviews the position, in relation to colonies, of the various organs of the German government, analyzes the powers of the governor of Kiaochow, and gives a picture of the local administrative and judicial organization and procedures.—HAROLD M. VINACKE.

In his *International Organization in European Air Transport* (Columbia University Press, pp. xii, 222), Laurence C. Tombs examines the present extent of international coöperation in European air transport. Dr. Tombs is well qualified for this task. He is a member of the Communications and Transit Section of the League of Nations Secretariat, and during the past five years he has represented the League at aviation conferences. As a result, he has written a useful and interesting book. The important postwar international agreements in regard to both public and private air law are examined. The author also describes the organization and work of the various public and private international organizations, and there is a full chapter on the activities of the League. A valuable section of the book is that devoted to an account of the sphere of operation of the large international air lines and their connections with governments and private systems of air transport. Dr. Tombs has never lost sight of the close historical connection between civil and military aviation. He shows that the development of full international coöperation in aviation has been continually hampered by political and nationalistic considerations. Despite this obstacle, which is one common to international organization in all fields, "international organization in European air transport, however incomplete, is a reality" (p. 220). But "an adequate measure of international organization with respect to both civil and military aviation will be reached only when governments are prepared to take the necessary political decisions" (p. 204). Unfortunately, in the light of the failure of the Disarmament Conference and the present chaotic situation in Europe,

this amount of international political coöperation seems far away.—WINCHESTER H. HEICHER.

The second edition of J. L. Brierly's *The Law of Nations* (Oxford University Press, pp. viii, 271) maintains the scholarly qualities and compactness of the 1928 edition and makes effective use of material afforded by important developments since that time. Offered as an introductory book on the international law of peace for students or for laymen, the volume should assist toward the acquisition of perspective and an appreciation of the true rôle of law in international relations. Some will possibly disagree with certain of the author's views, e.g., on the "consent" theory (pp. 52, 56) or on the essential nature of the mandate system (p. 134). Admission of the "insincere rhetoric" of Article 22 of the Covenant (p. 132) and of some failures of the League of Nations does not prevent Professor Brierly from reaching the conclusion that the situation would have been even worse if there had been no League, and that the League scheme "makes war difficult and peace easy" (pp. 245, 246). There is an excellent short presentation of the facts with respect to an international jurisdiction, along with a caution against too great simplification of the problem in the face of the still "predominantly individualist basis" of the law.—ROBERT R. WILSON.

Professor Jacques Lambert's *La Vengeance Privée et les Fondements du Droit International Public* (Librairie du Recueil Sirey, pp. 133) has very little of interest concerning the foundations of international law. Almost the whole work is devoted to a detailed genetic treatment, beginning with the family or clan stage and terminating with the stage of the state itself enforcing criminal laws, in an effort to show why and how private vengeance has been supplanted by the development of institutions of the state for regulating conflicts. These stages are illustrated in the early Semitic and German communities, and in communities of Berbers, Caucasians, and Corsicans. The thesis is that, by studying in this way the development of juridical systems which have reached the stage of maturity at which private violence has been completely eliminated as between citizens, certain generalizations may be made which will enable one to judge the importance of present tendencies in international law, and what will be necessary in order to eliminate war. The book should prove useful to those interested in sociology, jurisprudence, and the evolution of political institutions.—CHESNEY HILL.

Many pages have been written during the past decade which deal with the problem of revision of treaties. The distinguishing features of Professor Georges Scelle's *Théorie Juridique le la Révision des Traités* (Li-

brairie du Recueil Sirey, pp. 95), are, first, that those treaties most likely to require modifications are legislative rather than contractual in nature; second, that neither the *clausula rebus sic stantibus* nor the theory of *imprévision* offers a solution; and third, that revision is essentially a legislative act which ought to be performed by a super-national authority. The author favors an interpretation of Article 19 of the Covenant according to which the Assembly, if unable to revise or order revision of a treaty, might at least give a decision having the force of "legal truth" that a given treaty should be revised. Such a decision would create a juridical obligation for the parties to negotiate a revision, lacking which the demander should have the right to unilateral denunciation. While unanimity of votes in the Assembly would be required for such a decision, the parties involved would not be counted. It is argued that unless treaties are revised to meet changing "social necessity," war cannot be eliminated.—CHESNEY HILL.

Under the editorship of Mr. Cyril Wynne, chief of its Division of Research and Publication, the Department of State has issued, in three volumes, *Papers Relating to the Foreign Relations of the United States, 1920* (Government Printing Office, pp. xciv, 861; lxxv, 895; xcvi, 823). Each volume is complete within itself and separately indexed. Naturally, the collection is dominated by papers having to do with the country's obligations growing out of the World War and the peace settlements. Nearly half of the first volume, however, relates to China, and a similar proportion of the second pertains to the regional area of the Caribbean and Central America. In the third, the country that bulks largest is Russia. The high editorial standards characterizing the series to which the volumes belong have been fully maintained.

### POLITICAL THEORY AND MISCELLANEOUS

*Friedrich Engels: A Biography* (Alfred A. Knopf, pp. xxiv, 332)—the first substantial biography of Engels to appear in English—is translated from Professor Gustav Mayer's condensation of his authoritative two-volume German biography (1920, 1934). Even in this shortened form, intended for the general reader, the book is rich in valuable information; for notes on sources, however, the scholar must still consult the earlier edition. Professor Mayer makes it very clear that Engels was not merely the patron and editor of Marx, but an active collaborator who supplemented Marx's research by constant and keen observation of political and economic events. And, in the early chapters, he gives ample evidence that before the beginning of the famous partnership in 1844 Engels had already moved far toward the views which he and Marx built into a system. But still, although he cites the joint work, *German Ideology*, and

Engels' *Anti-Dühring* and *Feuerbach* as evidence of Engels' ability in abstract thought, he recognizes that Engels was rather a keen journalist than a systematic scholar. "He preferred to detect rather than to study" (p. 51), and gladly relinquished the dull business of minute research to Marx. The personality which emerges from Professor Mayer's dispassionate, detailed account is lively and attractive. Engels' expansive enthusiasm carried his attention from German philosophy to English workers and Irish farmers, from German philology and Slavonic languages to military science—a subject on which his articles were accepted as authoritative by the best journals. "A queer sort of business man," he was delighted by the "marvelous development" of the economic crisis in 1857; yet, when the anticipated revolution did not arrive, he remained with his firm until he could retire a dozen years later with sufficient income to support himself and the Marx family. It would be interesting to know how he managed to combine his rôle as one of the exploiters of the Manchester proletariat with his rôle as organizer of proletarian revolution; but Mayer tells us almost nothing of his relations with his partners or his employees. Two faults Engels had in common with later followers. He was far too willing to predict the immediate outbreak of the revolution (cf. pp. 121, 127, 141, 159, 162, 289); and, with Marx, he was bitterly intolerant of those with whom he disagreed. In his contempt for "the Jew from the Slavonic frontiers" (Lassalle; see p. 66) and for Slavs generally (pp. 134, 149), there seems to be evidence of prejudice scarcely consistent with the creed of the universal brotherhood of the proletariat. —JOHN D. LEWIS.

Among the publications prepared by the Marx-Engels-Lenin Institute appears now, in English, *Marxism and the National and Colonial Question* by Joseph Stalin (International Publishers, pp. viii, 304), being a collection of articles, reports, and speeches, ranging in date from 1913 to 1935, on the subject—one may say—of Stalin's most distinctive interest and experience. A rather central thread appears throughout, though in the Marxian vein, yet in a certain judicious adjustment of the objectives of proletarian dictatorship with those "rights of nationalities" which, on the whole, have found in Stalin a consistent champion. The working class interest must come first. But the Great-Russian Communists, again and again, are charged with failure, in their party work, to reckon with the peculiarities of historical background of the lesser nationalities. War must be waged against Great-Russian chauvinism. On the other hand, the Native Communists, haunted still by the horrors of the period of national oppression, tend to exaggerate the importance of national peculiarities, and so to deviate toward bourgeois-democratic nationalism. This tendency, in the eastern regions, assumes at times the form of Pan-

Islamism and Pan-Turkism. So, historical context, whether within or without the Soviet Union, may require a varying assertion or denial of the national idea. Essentially, the Union today may be thought of as consistently socialist in content, while varying and national in form. Outside, particularly in the Far East, which represents the "heavy reserves of our revolution," it is necessary continually—though always on guard against premature emphasis—to encourage the nationalism in states dependent upon imperialist powers. But there is no one formula for all things. This caution, persistent and in the spirit of true science, is not, to be sure, without paradoxical consequence. Stalin accepts paradox. Stalin, however, is less the philosopher than the effective controversialist steeped in history. There is convincing evidence of a tenacious, informed, forceful use of the historical argument; testimony, too, particularly in the living presence of extemporaneous speech and its proximity to events, to a personality greater than may have appeared to distant observers. The more popular of the speeches offer, now and again, a pedantic and tiresome classification of categories. But whether in the polemical or the more expository vein, always, without Caesar-pose, it is the persuasive and the orderly mind at work. Also, it is an orderly and attractive arrangement of the principal materials, appendices, and explanatory notes that has been made available.—WALTER SANDELIUS.

Some time since, students of the new régimes of the U.S.S.R., Italy, and Germany have concluded that these are durable polities whose institutions and bases merit more attention than the shocked surprise with which folk accustomed to the liberal-democratic state at first greeted them. Indeed, their presence in the Western world raises many serious problems both for the student of political ideology and for the analyst of international relations. In particular, the old query of the foundations of political authority must be reëxamined. When does a régime frankly based upon force become legitimate? And, again, can we expect such orders to live peaceably side by side with those carriers of Greco-Roman culture? To these problems Professor Louis Rougier directs his attention in a series of lectures delivered before the Graduate Institute of International Studies at Geneva and now published under its auspices—*Les Mystiques Politiques Contemporaines et leurs Incidences Internationales* (Sirey, pp. 124). Finding legitimacy to rest upon the irrational base of tradition, collective prejudices, mass sentiments, upon what he labels "mystique politique," M. Rougier concludes that "a government becomes legitimate to the degree to which it corresponds to the conceptions held, freely and spontaneously, by the majority of its subjects concerning the nature, origin, and attributes of political power." By this test, these new régimes have become legitimate. M. Rougier then develops a test to

determine their efficacy in satisfying the desire for well-being of the citizen-subjects. This test, necessarily of international incidence in the contemporary world, proves to be that of liberalism, the free exchange among men of services, goods, ideas, by means of mutual comprehension and sincere international collaboration. By this criterion, M. Rougier analyzes the "mystiques politiques" of democracy, monarchy, sovietism, totalitarianism, in order to determine objectively their worthiness. He concludes that we must "return to the practice of liberalism, political, economic, and cultural, in a system of firmly established internationalism." Only so can the Western state hope to satisfy the universal desire for peace and well-being. This brochure of an ardent liberal is quite worth careful reading. It is packed with wise and eloquent passages, with trenchant analyses of the major types of modern Western state; and it is in itself an interesting attempt to subject value-judgments to objective criteria.—ALLAN F. SAUNDERS.

In *National Libraries and Foreign Scholarship* (University of Chicago Press, pp. 151), Professors Douglas Waples and Harold D. Lasswell have compiled some interesting information regarding the acquisition of social science titles bearing foreign imprints by libraries located chiefly in European capitals. The work is based on three premises: that the typical conditions affecting a library's selection of foreign writing in a given field may be listed without serious omission; that the relative merits of different collections of foreign works in social science can be determined closely enough to distinguish strong from weak collections; that the differences between such collections can be usefully studied, "both as a means of improving the weaker collections, and as a means of understanding the various national attitudes which restrict the importation of foreign scholarship." The authors rightly regard a wide exchange of scholarly publications as a defense against extravagant nationalism. There are many rather obvious difficulties in the carrying out of a project of this character, and many limitations upon its conclusions, which the authors frankly recognize. In carefully prepared tables and charts, they present much data which give scientific support for conclusions, some of which an astute person might perhaps anticipate: difference of language ought not to be, but is, a barrier, even to scholars; libraries acquire more foreign titles in the native language than in others; when cuts in funds are made, book purchases are reduced more drastically than subscriptions to scientific journals; libraries in foreign centers have been guilty of the same type of duplication that is often observed in American cities; et cetera. The book will be of genuine interest to librarians, and to social scientists interested in public opinion and in international intellectual coöperation.—W. BROOKE GRAVES.

Several weeks after Herbert D. Simpson's *Purchasing Power and Prosperity* (Foundation Press, pp. iii, 149) appeared, a leading editorial in a prominent metropolitan daily contained the following sentences: "Take a dollar from your pocket. Analyze it. It is a share in the nation's purchasing power." It was to point out just such fallacies in our current political and economic thinking that Professor Simpson wrote the above-mentioned book, whose subtitle is "An Essay in the Economics of Recovery." He specifically denies that money is in any sense purchasing power, stating that purchasing power, on the contrary, is a relationship, and that a better term to use would be "exchangeability." Proceeding from this premise, he analyzes the reasons why our huge experiments in the 1920's in the matter of foreign investments and loans failed to increase our purchasing power, and why certain aspects of the recovery program of the present Administration have not been successful. He vigorously attacks Keynes' theory, saying concerning it: "The same arguments and the same accounting processes which Professor Keynes employs could be applied, with only slight modification, in support of 'the endless chain' promotion as a means to general prosperity." The most important conclusion which Dr. Simpson reaches is that the uppermost practical problem facing the Roosevelt administration is "not to create more purchasing power, but to remove the obstacles to the free flow of the potential purchasing power we already have." The brochure is an important addition to our current literature in the field of public finance, with a special emphasis on theory.—JOHN G. HERNDON, JR.

A handy but not wholly reliable volume is *Labor Fact Book III* (International Publishers Co., Inc., pp. 223), prepared by the Labor Research Association. It presents brief summaries of statistics on "recovery"; sketches of New Deal legislation of interest to labor; analyses of unemployment, wages, relief, and the various labor boards; trends in the labor movement, including union membership, the industrial union struggle, and strikes; a brief analysis of the condition of professional workers; a description of farm conditions, including income, forced sales, debts, the Agricultural Adjustment Administration record, resettlement, and farm organizations; progress in the United Front here and abroad, fascist trends, suppression of civil rights, reactionary organizations, and the use of troops in labor troubles; the cost of the last war, war profits, present military preparations, and a record of anti-war actions; and finally a review of soviet states—Russia and China. Opinion tends to dominate the facts. The book is almost wholly critical of the New Deal, without a good word even for the Tennessee Valley Authority, and with no mention of the TVA labor policy. In handling taxation, budget, and farm credit problems, the authors present much critical opinion but a highly inade-

quate and undialectical treatment of the facts. They also handle the Russian material uncritically.—HARVEY PINNEY.

Sir William Beveridge's *Planning under Socialism and Other Addresses* (Longmans, Green and Co., pp. 142) again illustrates the praiseworthy effort of the B. B. C. to provide its listeners-in with first-rate commentary on current affairs. In this instance, the director of the London School of Economics was asked to give a series of ten-minute talks, once a week, upon recent economic news. In an interesting preface, Sir William tells upon what principles he built the sixteen talks herein printed. They, and also three broadcasts upon a few elements of "the science of economics" addressed to sixth-form scholars, give interesting material for comparison with American techniques of radio education. But of perhaps wider interest are the two addresses, delivered to more scholarly audiences, that bracket the broadcast talks. These—"The Economic Implications of Planning under Socialism" and "My Utopia"—stress the rôle of the pricing process in welfare economics; and both contain lucid expressions of Sir William's warm sanity. "The problem I have propounded," he says, "is one, not for experiment, but for reasoning by persons qualified to reason about economic problems, that is today by economists. . . . Its discussion is one of the most important services which economists can render to the world today. . . . The world is too poor to afford economic mistakes." Political scientists will note with interest that he believes that "in the last resort, in deciding the question whether a centrally planned economic system under socialism would be desirable or not, less importance attaches to economic considerations . . . than to the political problem . . . of the constitution and powers of the supreme authority in the state."—ALLAN F. SAUNDERS.

Mr. G. K. Chesterton remarked a decade ago how paradoxical it was that radio broadcasting had been invented at that precise moment in history when mankind had nothing to say. In his *An Historical Geography of Europe* (E. P. Dutton and Co., pp. xx, 480), Mr. Gordon East comments similarly upon the curious circumstance that at a time when great advances in the means of communication have minimized distance, have facilitated world economic relations, and have made possible the administration of widely flung regions, European peoples are most insistent upon small and sharply separated national areas in which to live their lives and develop their jealously guarded cultures. Dividing his book into three major parts—"The Geography of Settlement in Europe," "The Political Geography of Europe," and "The Economic Geography of Europe"—the author traces the Continent's political and economic geography from Roman times to the peace treaties of 1919, not as a mere matter of narra-

tive, but with broad and deep interpretation of physical, linguistic, diplomatic, military, and cultural influences and forces. In a day in which the significance of political geography is appreciated as it rarely has been in the past, the volume will indeed be welcome. Numerous maps and plans lend vividness, and chapter bibliographies call attention to the more important literature of the subject.—F. A. O.

Charles C. Chapman's *The Development of American Business and Banking Thought, 1913-1936* (Longmans, Green and Co., pp. xiii, 300) bears a sweeping title. The book's contents are divided into twenty-two chapters, and these are grouped into three parts: (1) Development of American Business and Industrial Philosophy, 1913–1936; (2) Development of a Central Banking Philosophy, 1913–1936; and (3) Situation at the Dawn of 1936. The Appendix contains texts of the Supreme Court's opinions on A.A.A. and the Labor Department's report on company unions. In his preface, the author states that the book, although intended for the general public, is planned also to meet the needs of the class-room in such courses as Recent Economic History, or Economics of the New Deal. The treatment is favorable to the New Deal. The text is written clearly, and the mechanical construction of the book is in attractive form. In the reviewer's opinion, the chief use for the book in the class-room would be to give beginning students of the social sciences a favorable approach to the present-day program of economic reform. The volume, however, lacks a well selected bibliography such as would send the inquiring student in all directions for more extensive reading.—Earl W. Crecraft.

The third edition of Dr. Harley L. Lutz's *Public Finance* (D. Appleton-Century Co., pp. 945) is for most practical purposes a new book, being about 300 pages larger than the edition published seven years ago. The book is divided into five parts, other than an introductory chapter on the meaning and development of public finance. Part I deals with public expenditures, and includes a chapter on the effects of public expenditures, capably analyzing the effects of budgetary unbalance and inflation. Part II is devoted to revenues from the public domain and from other kinds of public ownership. The motives for public ownership are discussed. Part III is devoted to taxation and runs to nearly 400 pages. Public debts are discussed in Part IV, of over 100 pages. Financial administration occupies Part V, with not quite 100 pages. Tariffs get a total of but four pages. The method is critical throughout and the analysis excellent. Most of the volume is devoted to matters of public administration in relation to expenditures and taxes.—Clyde L. King.

In *Proposed: The University of the United States* (University of Minnesota Press, pp. 83), Professor Edgar B. Wesley has traced the history of an idea which, as he says, has "maintained a shadowy sort of existence on the periphery of the national consciousness" ever since the first detailed proposal for the establishment of such an institution was made by Dr. Benjamin Rush of Pennsylvania in 1787. In addition, he has described the instructional and research facilities now existing in Washington, stated the cause for a national university, and submitted a detailed plan for such an institution, not stopping short of formulating a bill by which the object might be attained. The pamphlet closes with a surprisingly extensive bibliography of the subject, ranging from congressional speeches and reports to doctoral dissertations.

The never-ending stream of college text-books in history brings to the editorial desk R. Flenley and W. N. Weech, *World History; The Growth of Western Civilization* (E. P. Dutton and Co., pp. xix, 757), and Wallace K. Ferguson and Geoffrey Brunn, *A Survey of European Civilization* (Houghton, Mifflin Co., pp. xxxii, 1024, xciii). Both books are written in an interesting style, copiously illustrated, and brought to a close with brief narratives of European events since the World War. The second one is issued under the editorial supervision of Professor Carl Becker, of Cornell University, who supplies an interesting introduction.

# RECENT PUBLICATIONS OF POLITICAL INTEREST
## BOOKS AND PERIODICALS

CHARLES S. HYNEMAN
*University of Illinois*

## AMERICAN GOVERNMENT AND PUBLIC LAW

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